

THE MADRAS LEGISLATIVE COUNCIL.

Tuesday, the 4th September 1928.

The House met at 11 o'clock, the President (the hon. Rao Bahadur C. V. S. NARASIMHA RAJU Garu) in the Chair.

PRESENT:

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| Marjoribanks, K.C.I.E., C.S.I., I.C.S., The hon. Sir Norman. | Krishnan, Mr. K. |
| Usman Sahib Bahadur, Kt., The hon. Khan Bahadur Sir Muhammad. | Krishnaswami Nayakar, Mr. K. V. |
| Moir, C.S.I., C.I.E., I.C.S., The hon. Mr. T. E. Krishnan Nayar, The hon. Diwan Bahadur M. Subbarayan, The hon. Dr. P. Muthiah Mudaliyar, The hon. Mr. S. Seturatnam Ayyar, The hon. Mr. M. R. Abdul Hye Sahib Bahadur, K. Abdul Razack Sahib Bahadur, Khan Bahadur S. K. | Kumara Raja of Venkatagiri. |
| Adinarayana Chettiyar, Mr. T. Anantakrishna Ayyar, Rao Bahadur C. V. Anjaneyulu, Mr. P. Ari Gowder, Mr. H. B. Arogyaswami Mudaliyar, Diwan Bahadur R. N. | Kumarswami Reddiyar, Diwan Bahadur S. Kuppeswami, Mr. J. Luker, Mr. A. T. Madhavan Nayar, Mr. K. Mahmud Schammad Sahib Bahadur. Mallayya, Dr. B. S. Manikkavelu Nayakar, Mr. M. A. Marudavanam Pillai, Mr. C. Moidoo Sahib Bahadur, T. M. Muniswami Nayudu, Rao Bahadur D. Muniswami Pillai, Mr. V. I. Muppil Nayar of Kavalappara, Mr. Murugappa Chettiyar, Diwan Bahadur A. M. M. |
| Arpudaswami Udayar, Mr. S. Basheer Ahmad Sayeed Sahib Bahadur. Bhaktavatsulu Nayudu, Mr. P. Bhanoji Rao, Mr. A. V. Bheemayya, Mr. J. Biswanath Das Mahasayo, Sriaman. Chidambaranatha Mudaliyar, Mr. T. K. Congreve, Mr. C. R. T. Cotton, C.I.E., I.C.S., Mr. C. W. E. Cotterell, C.I.E., I.C.S., Mr. C. B. Davis, Mr. J. A. Dorai Raja, Raj Kumar S. N. Ethirajula Nayudu, Diwan Bahadur P. C. Foulkes, Mr. R. Gangadhar Siva, Mr. M. V. Gnanavaram Pillai, Mr. P. J. Gopala Menon, Mr. C. Govindaraja Mudaliyar, Mr. C. S. Guruswami, Rao Sahib L. C. Hamid Khan Sahib Bahadur, Abdul. Hampayya, Rai Sahib M. Harisaravottama Rao, Mr. G. John, Mr. V. Ch. Kaleswara Rao, Mr. A. Kameswara Rao Nayudu, Mr. V. Karant, Mr. K. R. Kay, Mr. Kenneth. Kesava Pillai, C.I.E., Diwan Bahadur P. Khadir Mohidin Sahib Bahadur, Muhammad. Khalif-ul-Jah Sahib Bahadur, Khan Bahadur K. Koti Reddi, Mr. K. | Muthulakehmi Reddi, Dr. Muthuranga Mudaliyar, Mr. C. N. Nagan Gowda, Mr. R. Nanjappa Bahadur, Subadar-Major S. A. Narayana Raju, Mr. D. Narayana Rao, Mr. Methay. Narayanan Chettiyar, Mr. Al. Ar. Narayanan Nambudripad, Rao Bahadur O. M. Narayanaswami Pillai, Mr. T. M. Obi Reddi, Mr. C. Parasurama Rao Pantulu, Mr. A. Parthasarathi Ayyangar, Mr. C. R. Patro, Kt., Rao Bahadur Sir A. P. Premayya, Mr. G. R. Raja of Panagal, K.C.I.E. Rajan, Mr. P. T. Ramachandra Padayachi, Mr. K. Ramachandra Reddi, Mr. B. Raman Menon, Mr. K. P. Ramanath Goenka, Mr. Ramasomayajulu, Mr. C. Ramjee Rao, Mr. V. Ramaswami Ayyar, Mr. U. Ranganatha Mudaliyar, Mr. A. Ratnasabapathi Mudaliyar Rao Bahadur C. S. Sahajanandam, Swami A. S. Saldanha, Mr. J. A. Sami Venkatachalam Chetti, Mr. Sarabha Reddi, Mr. K. Satyanurti, Mr. S. Shetty, Mr. A. B. Sitarama Reddi, Rao Bahadur K. Siva Raj, Mr. N. |

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PRESENT—*cont.*

Siva Rao, Mr. P.
 Sivasubrahmanya Ayyar, Mr. K. S.
 Slater, C.M.E., C.I.E., I.C.S., Mr. S. H.
 Soundarapandia Nadar, Mr. W. P. A.
 Souter, I.C.S., Mr. C. A.
 Srinivasa Ayyangar, Mr. R.
 Srinivasa Ayyangar, Mr. T. C.
 Srinivasan, Rao Sahib R.
 Subrahmanya Moopnar, Mr. S.
 Subrahmanya Pillai, Mr. Chavadi K.
 Swami, Mr. K. V. R.
 Syed Ibrahim Sahib Bahadur, Nattam Dubash
 Kadir Sahib.
 Tajudin Sahib Bahadur, Syed.
 Tampoe, I.C.S., Mr. A. McG. C.
 Thomas, Mr. Daniel.
 Tulasiram, Mr. L. K.

Uppi Sahib Bahadur, K.
 Vanavudaiya Gounder, Mr. S. V.
 Venkatapathi Raju, Mr. P. C.
 Venkatarama Ayyar, Mr. K. R.
 Venkataramana Ayyangar, Mr. C. V.
 Venkataramangam Nayudu, Mr. C.
 Venkataratnam, Mr. B.
 Venkiah, Mr. S.
 Wathen, M.B.E., Mr. F. B.
 Watson, I.C.S., Mr. H. A.
 Wright, Mr. W. O.
 Zamindar of Gollapalli.
 Zamindar of Kallikota.
 Zamindar of Mirzapuram.
 Zamindar of Seithur.
 Smith, Mr. W. E.
 Ramunni Menon, Diwan Bahadur K.

I

NEW MEMBERS.

The following new members made the prescribed oath or affirmation of allegiance to the Crown and then took their seats:—

Mr. W. E. SMITH

Diwan Bahadur K. RAMUNNI MENON.

II

QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Agriculture

Action to be taken on the Report of the Royal Commission on Agriculture.

11 a.m. * 68 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Minister for Development be pleased to state—

(a) the measures the Government have taken or intend to take on the report of the Royal Agricultural Commission so far as this province is concerned; and

(b) whether they have decided that the field of recruitment for the superior and provincial service should not be restricted to either this province or to India?

A.—(a) & (b) The matter is under consideration.

Carrying out of the recommendations of the Royal Commission on Agriculture.

* 69 Q.—Mr. J. A. SALDANHA: Will the hon. the Minister for Development be pleased to state—

(a) by what ways and means the Local Government on their own initiative and with their own authority or in co-operation with or under orders of the Government of India are going to carry out the several recommendations of the Royal Agricultural Commission in the various departments;

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(b) whether it is decided or contemplated to open new experimental agricultural farms and schools in any towns and villages;

(c) what form and scope such farms and schools are to have in order that the results of the research work may reach the cultivators; and

(d) what measures are resolved to be taken to meet the apathy of landlords to take to improved seeds and new methods of cultivation?

A.—(a) The matter is under consideration. The Government of India have however called for a conference of representatives of Local Governments to deliberate how best the recommendations of the Royal Commission can be put into effect.

(b) No such proposal is under contemplation just now.

(c) Does not arise.

(d) The Government will consider the question and welcome any suggestion the hon. Member may wish to make.

Mr. J. A. SALDANHA :—“ With reference to the answer to clause (a), may I know on what subjects this Government will take action without the consent of the Government of India ? ”

The hon. Mr. M. R. SETURATNAM AYYAR :—“ Even that is still under consideration.”

Mr. J. A. SALDANHA :—“ As regards the opening of new experimental farms and schools, which have been recommended to the Local Government long ago and which have also been recommended by the Royal Commission on Agriculture, may I know why they are postponed ? ”

The hon. Mr. M. R. SETURATNAM AYYAR :—“ They are being postponed as the matter is under consideration.”

Sriman BISWANATH DAS MAHASAYO :—“ With reference to the answer to clause (a) wherein it is mentioned that a conference will be held, may I know where it will be held and whether the agenda will include only the Report of the Royal Commission on Agriculture ? ”

The hon. Mr. M. R. SETURATNAM AYYAR :—“ The conference will be held at Simla on the 1st of October of this year and the agenda has been prepared on the basis of the recommendations of the report and they will be discussed there.”

Rao Bahadur C. S. RATNASABAPATHI MUDALIYAR :—“ May I know whether the personnel is settled ? ”

The hon. Mr. M. R. SETURATNAM AYYAR :—“ Yes.”

Rao Bahadur C. S. RATNASABAPATHI MUDALIYAR :—“ May I know whether non-officials are included in the personnel ? ”

The hon. Mr. M. R. SETURATNAM AYYAR :—“ Yes. A retired official who can be taken as a non-official.”

Mr. J. A. SALDANHA :—“ May I know when the Local Government will take action on the recommendations of the Report of the Royal Agricultural Commission ? ”

The hon. Mr. M. R. SETURATNAM AYYAR :—“ The matter is under consideration.”

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Co-operative Societies

Reduction of the rate of interest charged by the Co-operative Societies for Adi-Dravidas.

* 70 Q.—Mr. A. B. SHETTY : Will the hon. the Minister for Development be pleased to state whether any proposals have been made to the Government for reducing the rate of interest charged by the Co-operative Societies for the Adi-Dravidas ?

A.—No proposals have been received by Government. The Commissioner of Labour is considering the question in consultation with the Registrar of Co-operative Societies.

Mr. A. B. SHETTY :—“ May I know whether the Commissioner of Labour has submitted his report on the question ? ”

The hon. Mr. M. R. SETURATNAM AYYAR :—“ Not yet.”

Fisheries

Personnel, etc., of the Fisheries Committee.

* 71 Q.—Mr. J. A. SALDANHA : Will the hon. the Minister for Development be pleased to state—

(a) under what circumstances and for what objects the Fisheries Committee was appointed by Government ;

(b) what the personnel of the Committee is, and what their qualifications are, for conducting an investigation into the several—including technical—points involved in the enquiry ;

(c) why no gentlemen representing the fisherman communities or the West Coast people with some first-hand knowledge of the principal fishery institutions on the West Coast were appointed as members of the Committee ;

(d) whether it is a fact that some of the fisherman communities brought this defect to the notice of Government ;

(e) if so, why their request was not granted ;

(f) whether the Committee is expected to scrutinize the policy and operations conducted by the Fisheries Department during Sir K. V. Reddi's tenure of office as Minister ; and

(g) why Sir K. V. Reddi was appointed as Chairman as well as member of the Committee ?

A.—(a) At the Finance Committee budget meeting there was considerable discussion among members regarding the Fisheries department and the Committee wished to have definite information regarding the policy and programme of research and manufacturing activities of the department. It was with reference to this desire that the Committee has been appointed.

(b) The following is the personnel of the Committee :—

(1) M.R.Ry. Rai Bahadur Sir K. V. Reddi Nayudu Garu, Kt., Chairman.

Members.

(2) M.R.Ry. Diwan Bahadur S. Kumaraswami Reddiyar Avargal, M.L.C.

(3) Dr. F. H. Gravely, Superintendent, Government Museum.

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- (4) Khan Bahadur S. K. Abdul Razack Sahib Bahadur, M.L.C.
- (5) M.R.Ry. S. Arputhaswami Udayar Avargal, M.L.C.
- (6) „ P. V. Manikka Nayakar Avargal, B.E., Retired Superintending Engineer.
- (7) „ R. S. Nayudu Avargal, Chairman, Municipal Council, Madura.
- (8) Mr. A. McG. C. Tampoe, I.C.S., M.L.C., Secretary to Government, Development Department.

The Government regret they cannot discuss the merits and qualifications of the members. But they have satisfied themselves that the selected gentlemen have qualifications sufficient to advise Government on the points referred to them.

- (c) The personnel of the Committee includes members acquainted with the conditions of fishermen and with the principal fishery institutions.
- (d) & (e) The suggestion of the fishermen communities that practical fishermen should be associated with the Committee came too late, and, for the reasons given in (c), the Government did not think it essential to adopt it.
- (f) All the past work of the department will come under review by the Committee.
- (g) Sir K. V. Reddi was selected as a member of the Committee in view of the invaluable knowledge he possesses of the work of the department. He was chosen as Chairman because of his personal qualifications.

Mr. J. A. SALDANHA :—“ With reference to the answer to clause (g), in view of the fact that Sir K. V. Reddi was the Minister in charge of Fisheries, may I know whether the Government considered him a fit person to judge of the merits of the work done during his term of office ? ”

The hon. the PRESIDENT :—“ That is asking for an opinion.”

Mr. J. A. SALDANHA :—“ I want to know whether Sir K. V. Reddi was asked to give his opinion of the work done in the Fisheries Department during his term of office ? ”

The hon. the PRESIDENT :—“ That is asking for an opinion.”

Answers to the Questionnaire issued by the Fisheries Committee.

* 72 Q.—Mr. J. A. SALDANHA : Will the hon. the Minister for Development be pleased to state—

(a) when the Fisheries Committee was appointed, when the questionnaire was issued, and what time was given to the public for furnishing answers ;

(b) whether any gentleman pointed out to Government or to the Secretary of the Committee the shortness of the time allowed and the necessity for giving more time ;

(c) if so, what answer was given ; and

(d) the necessity for giving such short time for furnishing the information required ?

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A.—(a) The Fisheries Committee was constituted towards the end of May 1928 and it held its first meeting to settle the preliminaries and draft the questionnaire on 4th June 1928. The questionnaire was issued to the newspapers for publication on 22nd June 1928. Copies were sent later to certain gentlemen. The Committee concluded its sittings on the 27th July. Gentlemen interested in the subject could have sent their replies at any time before the 27th July. Certain gentlemen whom the Committee proposed to examine as witnesses were requested to send in their answers as early as possible.

(b) Yes.

(c) No answer was given because none was required.

(d) The time at the disposal of the Committee before the preparation of the budget for the next financial year was short and the Chairman of the Committee had to absent from India from early August to end of October.

Mr. J. A. SALDANHA :—" Why is it there was so much hurry in issuing the questionnaire and requiring the Committee to submit its report within so short a time ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" The answer has already been given. "

Mr. J. A. SALDANHA :—" When the financial budget is prepared in the month of October or November, why was the opinion required to be submitted by the end of this month ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" They want time to consider the report. "

Mr. J. A. SALDANHA :—" Has the report been submitted now ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" Not yet. "

Mr. J. A. SALDANHA :—" When is the Chairman expected back ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" In October or November. "

Mr. J. A. SALDANHA :—" Then will there be time enough to consider the report ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" We hope so. "

Recommendations of the Fisheries Committee.

* 73 Q.—Mr. J. A. SALDANHA : Will the hon. the Minister for Development be pleased

(i) to lay before the House the report and recommendations of the Fisheries Committee, the summary of the written and oral evidence taken by them and the orders of the Government thereon ; and

(ii) to state whether Government have decided to transfer any of the functions of the Fisheries Department to the Salt and other departments ?

A.—(i) The request will be considered after the Committee's report is received.

(ii) No.

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Travelling allowance to witnesses summoned by the Fisheries Committee.

* 74 Q.—MR. J. A. SALDANHA: Will the hon. the Minister for Development be pleased to state—

(a) whether Government have sanctioned any, and if so, what travelling allowances to members of the Fisheries Committee during their tour;

(b) whether it is a fact that the non-official witnesses were not given any travelling or halting allowances, and if so, for what reasons;

(c) how many official and non-official witnesses residing outside Madras or Calicut and their suburbs invited to give evidence at Madras or Calicut refused or were unable to attend and how many of such witnesses did attend for giving evidence at Madras or at Calicut;

(d) whether any of the official witnesses drew travelling and daily allowance, and if so, at what rate; and

(e) if the answer to clause (d) is in the affirmative, why Government refused to grant travelling allowance to non-official witnesses that came to give evidence in similar circumstances?

A.—(a) Railway fare—One first class and one third class.

Daily allowance—Rs. 7-8-0.

Mileage—Annas 12.

(b) Yes. Decision to appoint the Committee was taken only after the budget was framed and there were no funds available for this purpose in the budget. The Government wished to keep the expenses on account of this Committee at a minimum.

(c) Twenty-one non-official witnesses did not appear before the Committee while fourteen did. Eight officials also appeared and gave evidence.

(d) All the official witnesses drew travelling and other allowances according to the Madras Travelling Allowance Rules.

(e) Please see answer to clause (b). It was possible to meet the expenses of the officials from sanctioned appropriations.

Industries

Industrial and Trades schools started by Government since 1920.

* 75 Q.—RAO BAHADUR SIR A. P. PATRO: Will the hon. the Minister for Development be pleased to state—

(a) how many Industrial and Trades schools have been started since the year 1920 and the places where these schools are located;

(b) the amounts sanctioned annually for the maintenance of these schools;

(c) whether there are any Industrial and Trades schools in Telugu districts or districts north of Madras;

(d) whether any investigation was made by the Development Department during the years 1920--1928 with a view to open new Industrial and Trades schools;

(e) whether an investigation will be made into the industrial conditions in the Telugu districts with a view to open Industrial and Trades schools; and

(f) whether the Government have any report on or reasons for not opening any Industrial school and Trades school in any centre in the Telugu districts?

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A.—It is presumed that the information asked for is in respect of industrial and trade schools started by Government.

(a) to (c) Nil.

(d) to (f) Investigations were made in the years 1920-21 and, again in 1924-26 as a result of the recommendations of the Committee on Technical and Industrial Education, for the establishment of an industrial school in the Northern Circars. The scheme was abandoned for the reason that a private industrial school had at the time just been established at Bezwada by the Brothers of St. Gabriel and that a Government school near by would jeopardise the chance of success of both. In view of this decision the Government requested the Director of Industries to examine the need for an industrial school on the West Coast and Ceded districts. In accordance with this and in pursuance of the recommendations of the Committee on Technical and Industrial Education, the Government have now under consideration proposals received for the opening of industrial schools at Calicut and Bellary and of a Trades school at Mangalore.

Rao Bahadur Sir A. P. PATRO :—" May I know whether the Government made any inquiries as to the desirability of opening industrial and trades schools ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" Yes."

Mr. A. RANGANATHA MUDALIYAR :—" May I know when these schools will be started ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" It is only a question of the availability of funds."

Mr. A. RANGANATHA MUDALIYAR :—" Whether the Government will consider the starting of industrial schools in the Ganjam and Vizagapatam districts and whether they will secure the opinion of the industrial concerns there ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" That will be considered."

Mr. B. RAMACHANDRA REDDI :—" Is it under the consideration of the Government to start any such schools in Madras ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" There is no such proposal."

Mr. J. A. SALDANHA :—" May I know whether money will be found for the opening of schools at least in the month of January next ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" We hope so."

Mr. R. NAGAN GOWDA :—" May I know when schools will be opened in the upland districts ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" They will be opened when funds permit."

Mr. G. HARISARVOTTAMA RAO :—" Will they be opened in the Telugu districts ? "

The hon. Mr. M. R. SETURATNAM AYYAR :—" That is a matter under consideration."

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Excise

Present policy of Government regarding prohibition.

* 76 Q.—Mr. S. SATYAMURTI : Will the hon. the Minister for Public Health be pleased to state—

(a) what his present policy is towards prohibition of alcoholic drink in the province ;

(b) whether he has given up the idea of introducing prohibition in two districts as an experiment ; and

(c) whether this Government is treating the subject of total prohibition as a Transferred subject or as a Central or Reserved subject ?

A.—(a) The position of Government has been set out in G.O. No. 1576, dated 17th September 1926, which was laid upon the Editors' Table and the present Minister for Excise has no intention of receding from that declaration of policy. On 5th June 1928 he convened a meeting of the Excise Advisory Committee in order that he might take its advice on the action to be taken in pursuance of the resolution passed by the Legislative Council on the 22nd October 1927 that total prohibition of drink in the Madras Presidency within the course of twenty years be declared to be the goal of Government. The Committee was unanimously of opinion that the first essential step was the creation of active public opinion throughout the Presidency against drink and educating the masses on the evils of drink in order that any temperance or prohibition measures or legislation undertaken may have the co-operation and support of the general public and was not able to suggest anything else. In accordance with the advice given by the Excise Advisory Committee the Government have agreed to spend money on propaganda work to discourage the drink habit. Further details of the scheme are now being considered.

(b) He never had any idea of introducing prohibition in two districts as an experiment.

(c) This question is now under the consideration of the Government.

Mr. S. SATYAMURTI :—“ With reference to clause (a) it is stated in G.O. No. 1576, dated 17th September 1926, that to create a dry India at once or even in the near future is impracticable. May I know what ‘in the near future’ means ? ”

The hon. Mr. S. MUTHIAH MUDALIYAR :—“ Will the hon. Member explain what he wants ? ”

Mr. S. SATYAMURTI :—“ I am asking what the words ‘to create a dry India at once or in the near future is impracticable’ in the G.O. No. 1576 mean ? That is, what is the sense in which the Government use the term ‘in the near future’ ? ”

The hon. Mr. S. MUTHIAH MUDALIYAR :—“ I believe I am not giving a personal opinion when I say that the policy of the Government is given there.”

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Mr. S. SATYAMURTI :—"The Government Order says 'it is impossible for them to commit the Government to more than the undertaking that the Government will work up to that ideal.' Is that the meaning?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"I believe a repetition will not make it stronger."

Mr. S. SATYAMURTI :—"Some of us have a vain hope that people must improve. I am asking the hon. Member whether he also accepts the statement, i.e., whether he accepts the position that the ultimate goal of total prohibition is beyond the pale of any specific definite period."

The hon. Mr. S. MUTHIAH MUDALIYAR :—"The statement is there; it is clear enough and it is difficult to make it any the clearer."

Mr. S. SATYAMURTI :—"There ought to be a definite programme with regard to prohibition in this Province."

The hon. Mr. S. MUTHIAH MUDALIYAR :—"I have already said that the policy of the Government is there and the present Government has no idea of going behind it."

Mr. S. SATYAMURTI :—"Therefore I am asking to have an idea of the word 'local option.' I shall be satisfied with the meaning the hon. Minister gives to that word."

The hon. Mr. S. MUTHIAH MUDALIYAR :—"Local option' is very wide and some of the measures the Government have already taken are within the meaning of that word (Laughter)."

Mr. S. SATYAMURTI :—"The policy of local option is inevitably directed towards the curtailment of the sale of liquor. I am therefore asking whether Government accepts that it is unwise to follow a policy of curtailing the number of places for the supply of liquor."

11-15
a.m.

The hon. Mr. S. MUTHIAH MUDALIYAR :—"The word 'local option' is wide. As regards the number of shops, the Government are reducing."

Mr. S. SATYAMURTI :—"Either I am very dull this morning or my hon. Friend is not attentive."

The hon. the PRESIDENT :—"There should be no cross-examination."

Mr. S. SATYAMURTI :—"I am simply asking whether the Government accept that policy. I am asking information only on about three or four points. I am not asking for the reasons."

The hon. the PRESIDENT :—"The hon. Member must see that supplemental questions do not amount to cross-examination."

Mr. S. SATYAMURTI :—"I am not asking about the reasons; I am only asking whether they accept the policy. I am asking whether the Government accept the position that any further reduction in the number of shops is disadvantageous and that such a measure is not a very effective remedy to prevent excessive drinking?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"They consider that it is not a very potent remedy. To a certain extent they will follow that principle, as far as they think it will be useful."

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Mr. G. HARISARVOTTAMA RAO :—" May I know whether the hon. Minister intends to carry out the resolution passed by the Legislative Council on the 22nd October 1927 that the total prohibition of drink in the Madras Presidency within the course of twenty years be declared to be the goal of Government? Will he take any practical steps towards that direction while he holds office?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—" It is in a very comprehensive form."

Rao Bahadur C. S. RATNASABHAPATHI MUDALIYAR :—" It is stated that in order to create public opinion with regard to temperance and prohibition, they want to have propaganda work. Will the hon. Minister say whether public opinion is not already overwhelmingly in favour of prohibition and temperance now?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—" Public opinion of one section of people, viz., the higher classes, is in favour of it; public opinion of the drinking classes is not in favour of it."

Mr. R. NAGAN GOWDA :—" In answer to clause (a) it is stated that there should be propaganda work. May I know how much money will be set apart for that purpose?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—" As much as is necessary."

Mr. S. SATYAMURTI :—" May I take it that the hon. Minister and the Government will not move in the matter unless the drinking classes come forward and say that they do not want to drink?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I am afraid the hon. Member for the University has misunderstood the position. It depends to a certain extent on the feeling of the drinking classes who should be persuaded not to drink."

Mr. G. HARISARVOTTAMA RAO :—" May I know from the hon. Minister for Excise whether he is not prepared to take any administrative steps apart from propaganda work to further the cause advocated by the resolution of the Legislative Council?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—" It all depends upon the Excise Advisory Committee. They have advised the present action. If they suggest anything further, I will consider it."

Mr. R. NAGAN GOWDA :—" If I understand the hon. Member correctly, he said that the drinking classes are not in favour of prohibition. May I know what efforts have been taken to find out the opinion of the drinking classes?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—" All the means at the disposal of the Government. The views and habits of those people have been ascertained long ago."

Mr. K. R. KARANT :—" May I know whether, apart from the opinion of the Excise Advisory Committee, the hon. the Minister has any policy of his own?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I am afraid Mr. President, I cannot give answers as regards my own policy."

Mr. K. R. KARANT :—" As Minister of Government."

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The hon. Mr. S. MUTHIAH MUDALIYAR :—"The Excise Advisory Committee advises the Government and the Government follows that policy."

Mr. C. V. VENKATARAMANA AYYANGAR :—"May I know whether the Government have any idea of trying the experiment in two districts at least? I am asking the Government and the Minister and not Mr. Mudaliyar."

The hon. Mr. S. MUTHIAH MUDALIYAR :—"No."

Mr. R. SRINIVASA AYYANGAR :—"May I know whether propaganda work will be carried on all over the Presidency or whether the intention is to restrict it only to particular parts of the Presidency?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"The intention is to have it all over the Presidency."

Mr. J. A. SALDANHA :—"May I enquire whether the present hon. Minister is aware that Diwan Bahadur Arogyaswami Mudaliyar stated in Mangalore and Salem that the intention of the Government was to introduce total prohibition in two districts?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"I am not aware of the pronouncement made either at Salem or at Mangalore. I am aware of some other thing in connexion with that."

Mr. P. C. VENKATAPATHI RAJU :—"May I know whether the hon. the Minister will take action to introduce prohibition in places where there is a strong public opinion, and where the public will actively co-operate in favour of it?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"If the hon. Member will specify the places where there is strong opinion, such steps as are necessary will be taken."

Mr. S. SATYAMURTI :—"May I know if the hon. the Minister has taken note of the fact that his predecessor in office laid down on the floor of this House the policy of the Government—not his own policy during the discussion under the Excise grant? 'Prohibition will be the goal and our excise policy. The idea of a dry Presidency will be accepted and worked up to. Our policy will be further reduction of shops and of the quantity of consumption, and the reduction of the limits of private possession and to adopt such other methods as may be found possible.' May I know the reasons why the hon. the Minister has rejected that policy and has gone back to the earlier statement of policy laid down as early as 1926?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"I fail to perceive the difference between the two."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—"The statement was made on the floor of the House. The Government said that they would work up to it by successive stages. May I know whether the hon. the Minister accepts that policy and intends taking any definite step towards securing total prohibition?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"It will be worked up to in the only way in which it is possible to work it up."

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Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—" Progressive stages mean definite steps to stop drinking and not carrying out propaganda work. I want to know if the hon. the Minister proposes to take any definite steps in the matter of securing prohibition not by propaganda work."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" The Government consider that the next effective way of reducing the drinking evil is to induce the drinking people not to drink."

Mr. S. SATYAMURTI :—" In view of the answer given, may I know what the Government exactly mean when they say that the first essential step is the creation of active public opinion in order that any temperance or prohibition measures or legislation undertaken may have the co-operation of the general public? May I ask specifically therefore whether the present hon. Minister's policy is that he will not take any steps towards prohibition until he has specifically created public opinion by propaganda?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I am sorry, Mr. President, that the hon. Member for the University has not been following the answer I gave to the hon. Member, Mr. Venkatapathi Raju. Where there is public opinion and where the circumstances are favourable, steps will be taken."

Mr. S. SATYAMURTI :—" May I know if there is any district now to the knowledge of the hon. Minister or any area where there is public opinion likely to facilitate such steps towards prohibition being taken?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I should be thankful if information can be given on the matter."

Mr. S. SATYAMURTI :—" Will the hon. Minister give the information at the disposal of the Government?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—" There is some information; the information may not be accurate or may be accurate."

Mr. R. NAGAN GOWDA :—" Will he be pleased to place the information on the table of the House?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—" The information is not so definite as to be placed before the House."

Mr. ABDUL HAMID KHAN SAHIB :—" May I know whether the hon. Member is aware that eleven toddy shops that were ordered to be closed were auctioned again by the Collector of Madras?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I am not aware of it."

Mr. P. C. VENKATAPATHI RAJU :—" May I know from the hon. the Minister whether there should be active public opinion throughout the whole Presidency?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I have already stated 'any limited area'."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—" May I know whether the present hon. Minister has thrown overboard the excise policy of the previous ministry?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I do not think the late Ministry had any definite policy (laughter)."

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MR. S. SATYAMURTI :—" May I know then whether the statement which I read out is accepted by the hon. Minister? The recognized policy has been the policy of the Government which the hon. the ex-Minister laid down. May I ask whether the present Ministry accepts that as the policy of the Government? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" That is the policy of the Government whether it is definite or not."

Progress made towards prohibition in the Madras Presidency.

* 77 Q.—MR. S. SATYAMURTI: Will the hon. the Minister for Public Health be pleased to state—

(a) whether after his taking office he has done anything towards prohibition in this Province;

(b) if so, the nature and the extent of that action; and

(c) if no action has been taken, the reasons therefor?

A.—(a), (b) & (c) The Excise Advisory Committee decided that the practical way of working towards the goal was educating the masses in the evils of drink and creating popular opinion and support against it and Government are considering schemes for propaganda work.

MR. S. SATYAMURTI :—" May I know what steps he has actually taken, apart from getting proposals or schemes for starting educative propaganda, to start prohibition? May I know, apart from that, whether he has taken any specific steps towards prohibition, temperance, local option or reduction of shops? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" Shops have been reduced; shops which were open have been closed. That is a definite step."

MR. S. SATYAMURTI :—" How many shops and in what districts? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" Notice; at least twenty shops."

MR. J. A. SALDANHA :—" May I know whether any steps have been taken as proposed by the policy declared by his predecessor to increase the areas of prohibition? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" Prohibition is to be reached by gradual stages; the reduction of 20 shops to 10 shops is a step in that direction."

MR. A. RANGANATHA MUDALIYAR :—" How many of the shops closed are shops which could not be sold in auction? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" Notice."

DIWAN BABADUR R. N. AROGYASWAMI MUDALIYAR :—" May I ask the hon. Minister whether he has rejected the resolution of this House which lays down a definite policy? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" A policy has been laid down by this House to be reached by successive stages within a period of twenty years. The Excise Advisory Committee which consists of hon. Members of this House were asked to submit practical proposals to give effect to that policy. Their proposals have been accepted."

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Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—" May I know whether the opinion of the Advisory Committee [is unanimous, because I understand it was not unanimous ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" Does the hon. Member want an answer to the question ? I think that the Government state the facts as they are and believe they are so."

Mr. S. SATYAMURTI :—" May I know specifically now whether the Government have or have not accepted the time-limit of twenty years which this House has adopted by a resolution ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" The hon. Member for the University may draw any inference he likes from the answers given."

Mr. G. HARISARVOTTAMA RAO :—" May I know whether the hon. the Minister has taken any step to find out by all means available to him whether there is any limited area—the information may be correct or incorrect, may be complete or incomplete—in which prohibition can be introduced ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" It is easy to give the information whether it is correct or not. But the Government cannot act unless the information is correct. So we have to find out the correct information."

Mr. S. SATYAMURTI :—" May I know whether the hon. the Minister for Excise has accepted or rejected or he has made up his mind on the time limit for the attainment of the goal of total prohibition which has been recommended by this Council ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" The Government will take such steps as they are advised to take. If total prohibition can be reached within a period of twenty years, there it is ; if it can be reached within a period of ten years instead of within twenty years, there it is. If it cannot be done, there it is not."

Mr. K. R. KARANT :—" May I know whether the hon. Minister considers the unanimous opinion of the municipalities and local bodies is a sufficient indication of the popular opinion in favour of prohibition ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" To a certain extent it is."

Mr. G. HARISARVOTTAMA RAO :—" May I ask the hon. Minister for Excise whether he will take steps to enquire into the possibilities of introducing total prohibition into any limited area he thinks fit ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" It all depends upon the extent of the limit the hon. Member is able to point out."

Mr. S. SATYAMURTI :—" May I know, Sir, whether the steps which the Government propose to take or are taking are intended to bring about prohibition within a period of twenty years or ten years or within any definite period of time ? "

11-30
a.m.

The hon. Mr. S. MUTHIAH MUDALIYAR :—" Whether it will have that effect, it remains to be seen."

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Mr. S. SATYAMURTI :—"I am asking, Sir, whether the steps which the Government are now taking or propose to take or intended by them to bring about—I am asking a question of fact—prohibition within a period of ten or twenty years or within any definite time-limit?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"To carry out the time-limit which has been prescribed by the resolution passed by the Council, this policy is being pursued by the Government."

Rao Bahadur C. S. RATNASABAPATHI MUDALIYAR :—"The answer says that 'Government are considering schemes for propaganda work'. When Government are convinced of the evils of drink—and Government are the custodians of the safety of the masses—what is the necessity for further propaganda work?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"For the reason that a man may take interest in his neighbour and ask him to desist from the evil."

Minimising the evil of drink among Adi-Dravidas.

* 78 Q.—Mr. A. B. SHETTY : Will the hon. the Minister for Public Health be pleased to state—

(a) whether the Government are aware that Adi-Dravida men and women spend at least half their wages on drink; and

(b) the steps taken by Government to minimise the evil of drink among these people?

A.—(a) The Government are not aware that the fact is as suggested.

(b) The Government have endeavoured to control the liquor trade and minimise the evils of drink by regulating the sale and consumption of liquor, by levying high taxation and by reducing the number of shops and by seeing that they are located in suitable sites. With regard to the depressed classes in particular, Government have directed that as far as possible shops should not be located in or within two furlongs from cherais.

Mr. A. B. SHETTY :—"With reference to the answers to questions 76 and 77, may I know whether the Government propose to ask the Labour Department or the Public Health Department to do propaganda work with a view to discourage the drink habit among the Adi-Dravidas?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"Every Department of Government, as far as they can find time to do it, has been asked about it."

Mr. J. A. SALDANHA :—"May I know whether the officers of the Health Department have been encouraged to give advice? This is not a Department like the Revenue Department; it is under the hon. Minister."

The hon. Mr. S. MUTHIAH MUDALIYAR :—"I am afraid the hon. Member from Mangalore has not been following the proceedings of the Council. The prohibition against the officers of the Department doing it has been removed and they are now doing it."

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Medical

X-ray treatment in the General Hospital.

* 79 Q.—Dr. B. S. MALLAYYA : Will the hon. the Minister for Public Health be pleased to state—

(a) whether Diwan Bahadur G. Narayanaswami Chetti was treated in the X-ray department of the General Hospital in May 1927 and for how long ;

(b) what was the amount obtained from him for the treatment ;

(c) whether this treatment led to blisters on the back of the patient and whether he consulted Colonel Bradfield for the purpose ;

(d) what was the amount collected from the paying patients in the X-ray department in the years 1924 to 1927 ; and

(e) how much of it was credited to the Government each year ?

A.—(a), (b) & (c) The Government have no information.

(d) & (e)—

Year.					Amount collected.	Amount credited to Government.
					RS.	RS.
1924	...	...	...	...	13,970	3,589
1925	...	...	...	...	15,220	3,899
1926	...	...	...	...	17,035	4,861
1927	...	...	...	...	17,920	4,547

NOTE.—The figures include also the fees received by the staff of the Institute for X-ray work done outside the Institute.

Dr. B. S. MALLAYYA :—“ May I know from the hon. the Minister for Public Health whether there are any registers maintained in the Medical Department showing the number of patients treated and the diseases for which they were treated ? ”

The hon. Mr. S. MUTHIAH MUDALIYAR :—“ Naturally there should be.”

Dr. B. S. MALLAYYA :—“ If there are such registers, then why is it impossible to trace the name of such a great man as Diwan Bahadur G. Narayanaswami Chetti in the registers ? ”

The hon. the PRESIDENT :—“ The Government never said so ; they say they have no information. That is all.”

Dr. B. S. MALLAYYA :—“ Then will the hon. Minister be pleased to call for the information at least for to-morrow, since Mr. Narayanaswami Chetti is on the phone.”

The hon. Mr. S. MUTHIAH MUDALIYAR :—“ I am afraid the answer for this question will not serve any purpose and so I do not propose to call for it.”

Dr. B. S. MALLAYYA :—“ Is the hon. Minister aware that my statement was contradicted and that I knew personally that the Diwan Bahadur was treated in the Hospital, that he was maltreated and that he gave a cheque—I saw that myself. And now for the Government to come forward and say ‘ We have no information ’ is not fair on their part.”

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The hon. the PRESIDENT :—"It is not a supplemental question."

Dr. B. S. MALLAYYA :—"I ask him whether it is fair for them to deny all knowledge. When they have got the registers there maintained by the department, the information, I am sure, can be found, if the Government have a mind to call for it?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"I am afraid the hon. Member has not understood the answer given. The Government do not deny the statement of the hon. Member; it may or may not be true. But Government do not consider it of sufficient importance to call for the information."

Dr. B. S. MALLAYYA :—"Do the Government consider it their duty to see that a Member of this House is being contradicted on facts?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"I do not know where the contradiction comes. If the hon. Member was willing to ask for the help of the Government, certainly it would have been given."

Dr. B. S. MALLAYYA :—"I appeal to the Government again."

The hon. the PRESIDENT :—"This is not a subject for appeal."

Dr. B. S. MALLAYYA :—"I do not know if the hon. the Minister has read a statement in the Press saying that the Diwan Bahadur was not treated while in fact he was treated?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"I am sorry I have not been able to follow all the controversies in the press on the subject."

Mr. BASHEER AHMAD SAYEED :—"May I know why the Government evade calling for the information when it is there already?"

The hon. the PRESIDENT :—"They do not evade; they say they have no information."

Rao Bahadur C. S. RATNASABAPATHI MUDALIYAR :—"May I know how the difference between the amount collected and the amount credited to the Government during the four years which amounts to more than Rs. 45,000 was disposed of? May I know to whom it was paid?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"To the officers. It is stated in the answer: 'The figures include also the fees received by the staff of the Institute for X-ray work done outside the Institute'."

Dr. B. S. MALLAYYA :—"Is the hon. Minister aware that 90 per cent of the fees are received from hospital patients and that the total amount collected for the four years is Rs. 64,145, while the amount credited to Government is only Rs. 16,396? Rs. 47,749 have been pocketed by the officers. What is the justification for Government to allow them to take that amount?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"I do not admit the premises; and so I do not think I can give an answer to that."

Dr. B. S. MALLAYYA :—"Does the hon. Minister know, before giving the answer, that the public have a right to know what has become of the money received in State Hospitals?"

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The hon. Mr. S. MUTHIAH MUDALIYAR :—“ Whatever information the hon. Member wants, I am quite prepared to give.”

Dr. B. S. MALLAYYA :—“ I want to know what has become of the Rs. 47,000 and odd ? ”

The hon. Mr. S. MUTHIAH MUDALIYAR :—“ It is already stated in the answer that the members of the staff of the Institute have taken it.”

Mr. R. NAGAN GOWDA :—“ Are these members of the staff paid by the Government ? ”

The hon. Mr. S. MUTHIAH MUDALIYAR :—“ Yes ; they are paid for the work they do in the Institute.”

Dr. B. S. MALLAYYA :—“ Are they paid special fees for X-rays ? Do the officers in the Institute draw more pay than corresponding officers in the Medical department ? ”

The hon. Mr. S. MUTHIAH MUDALIYAR :—“ Every officer has got his pay fixed.”

Dr. B. S. MALLAYYA :—“ I want to know if the Government are paying to the officers of the X-ray department any special allowance in addition to the pay which they draw ? ”

The hon. Mr. S. MUTHIAH MUDALIYAR :—“ May I tell the hon. Member for Madras that the X-ray expert of Madras is not a medical man at all.”

Dr. B. S. MALLAYYA :—“ I am glad the hon. Minister admits it, Sir. Will he be pleased to get a medical man very soon ? ”

The hon. Mr. S. MUTHIAH MUDALIYAR :—“ The Government think that it is not advisable to have a medical man there.”

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—“ May I ask if the remark in the answer is not incorrect that the officers received the fees for X-ray work done outside the Institute ? ”

The hon. Mr. S. MUTHIAH MUDALIYAR :—“ All work is not done in the Institute. If the hon. the President will allow me, I shall give some details. There are some patients who are in-patients in the General Hospital, for whom there is no fee. Some patients are sent by other doctors, for which there is a small fee charged and there are certain cases where the officers of the Institute are allowed to take patients and charge their own fees, of which a certain percentage is being credited to the Government.”

Raising the Vellore Women's Medical School to a College.

* 80 Q.—Dr. B. S. MALLAYYA : Will the hon. the Minister for Public Health be pleased to state—

(a) whether there is a proposal to raise the Vellore Women's Medical School to a College ;

(b) what the probable initial and recurring cost will be of such a step ; and

(c) whether it is a fact that the admission to the above institution is restricted to Christians ?

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A.—(a) Yes.

(b) The estimated initial cost of the scheme is Rs. 13,25,500. The Government have no information as to the probable recurring expenditure.

(c) No.

Dr. B. S. MALLAYYA :—“ May I know what is the necessity for creating a new medical college in Vellore ? ”

The hon. Mr. S. MUTHIAH MUDALIYAR :—“ We want to have more trained women.”

Dr. B. S. MALLAYYA :—“ Are there sufficient hospitals in Vellore for training medical women ? Is there a maternity hospital there or a lunatic asylum or an ophthalmic hospital or are Government going to construct all these institutions for the education of women at Vellore ? ”

The hon. Mr. S. MUTHIAH MUDALIYAR :—“ Government are not going to do that.”

Dr. B. S. MALLAYYA :—“ Are the Government going to pay half the cost ? ”

The hon. Mr. S. MUTHIAH MUDALIYAR :—“ They are not going to pay half the cost.”

Dr. B. S. MALLAYYA :—“ Are they going to pay anything towards the cost at all ? ”

The hon. Mr. S. MUTHIAH MUDALIYAR :—“ Rupees 5 lakhs.”

Dr. B. S. MALLAYYA :—“ What is the necessity then to create this college when you have not got sufficient number of students in the college at Vizagapatam ? ”

The hon. Mr. S. MUTHIAH MUDALIYAR :—“ Because all the students in the Presidency cannot be congregated in one place and there must be centres in suitable places.”

Proposal for abolition of Medical schools in the Presidency.

* 81 Q.—Dr. B. S. MALLAYYA : Will the hon. the Minister for Public Health be pleased to state whether the Government propose to abolish some of the Medical schools in the Presidency, and if so, why ?

A.—The reorganization of medical education is under consideration and will be placed before the Advisory Committee and it is premature to say what steps they may suggest.

Dr. B. S. MALLAYYA :—“ Where is the necessity for curtailing the number of medical schools if there is need for building a new school at Vellore ? Where is the necessity for closing down some of the existing schools ? ”

The hon. Mr. S. MUTHIAH MUDALIYAR :—“ The question is premature, because it was never said that the Government have decided to close down any schools ; but apart from that, they want to have separate schools for men and women.”

Dr. B. S. MALLAYYA :—“ I want to know whether women are excluded from the existing colleges in Madras and Vizagapatam.”

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Qualifications of the Personal Assistant to the Surgeon-General.

* 82 Q.—Dr. B. S. MALLAYYA : Will the hon. the Minister for Public Health be pleased to state—

(a) what the special qualifications of Dr. Williams are for the post of Personal Assistant to the Surgeon-General;

(b) what pay he was drawing before and what his pay now is;

(c) what his rank in the service list is;

(d) whether the claims of his seniors were overlooked by his promotion ; and

(e) whether, as Personal Assistant to the Surgeon-General, he comes into the selection list ?

A.—(a) An experienced and senior medical officer of the standing of a civil surgeon is ordinarily appointed to the post of Personal Assistant to the Surgeon-General and Mr. Williams satisfies these requirements.

(b) He was drawing Rs. 900 per mensem in his previous appointment. His pay as Personal Assistant is Rs. 900 plus 100 (special pay).

(c) Fifteenth in the list of civil surgeons of Madras Medical Service according to the Quarterly Civil Medical List corrected up to 31st March 1928.

(d) The post of Personal Assistant to the Surgeon-General is one of the posts included in the cadre of civil surgeons. The appointment of Mr. Williams to this post does not involve the supersession of any of his seniors.

(e) No.

Dr. B. S. MALLAYYA :—“ Are there no men above Dr. Williams in the list, when the Government themselves admit that he is the fifteenth ? Are all those people quite unfit to hold the position of Personal Assistant and why is it that Government have chosen a man occupying so low as the fifteenth rank ? ”

The hon. Mr. S. MUTHIAH MUDALIYAR :—“ The hon. Member is not probably aware that this is not a question of preference over anybody. In the usual course of business, some civil surgeon had to be put in as Personal Assistant.”

Dr. B. S. MALLAYYA :—“ Why not the 30th man then ? ”

The hon. Mr. S. MUTHIAH MUDALIYAR :—“ If he is a civil surgeon and if the Government thought him a fit person, he would have been nominated.”

Dr. B. S. MALLAYYA :—“ Was there any special offer made to anybody else ? ”

The hon. Mr. S. MUTHIAH MUDALIYAR :—“ What is the special offer ? ”

Dr. B. S. MALLAYYA :—“ Was any other man selected for this job ? Did any note go from the Surgeon-General to any other officer of the department ? ”

The hon. Mr. S. MUTHIAH MUDALIYAR :—“ I do not think any Member of this House is entitled to know the reasons for all appointments made.”

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The hon. the PRESIDENT :—“ Whether any Member of this House is entitled to ask for any particular information from the Government is to be settled by the President and not by the Member of Government, and I hope the hon. Minister will kindly withdraw his statement.”

The hon. Mr. S. MUTHIAH MUDALIYAR :—“ I am only stating, Mr. President . . . (Cries of ‘withdraw’, ‘obey the Chair’, from the Opposition benches).”

The hon. the PRESIDENT :—“ Order, order. I have already requested the hon. Minister to withdraw the statement made by him.”

The hon. Mr. S. MUTHIAH MUDALIYAR :—“ I withdraw the statement, if the hon. the President thinks that I refused to give information. What I wanted to say was that it is confidential and therefore cannot be divulged.”

The hon. the PRESIDENT :—“ The hon. Minister could have said that.”

The hon. Mr. S. MUTHIAH MUDALIYAR :—“ I meant that, Mr. President.”

Itinerant work by rural medical practitioners.

* 83 Q.—DR. B. S. MALLAYYA : Will the hon. the Minister for Public Health be pleased to state—

(a) whether it is a fact that recently the Surgeon-General has issued a circular to the effect that the rural medical practitioners appointed under the scheme of rural medical relief should do itinerant work by visiting the various villages once a week ;

(b) what the status of a rural medical practitioner under the scheme is ; and

(c) whether to enable the rural medical practitioner to do itinerant work in the villages, the Government are prepared to grant him conveyance charges, provide a suitable building in the village to be visited and allow him a servant ?

A.—(a) Yes ; but the application of the circular to rural medical practitioners has since been rescinded.

(b) He is a private practitioner receiving a subsidy from Government.

(c) The question does not arise.

Education

Free education for Adi-Dravidas in secondary schools.

* 84 Q.—MR. A. B. SHETTY : Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether the Government propose to give free education for the Adi-Dravidas in secondary schools ; and

(b) whether any form of vocational training is given in any of the Labour schools now existing ?

A.—(a) There is no proposal under the consideration of Government for the wholesale remission of fees for all Adi-Dravida pupils in secondary schools.

(b) The hon. Member is referred to the annual administration reports of the Labour Department which are placed on the Editors' Table.

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Mr. V. GANGADHARA SIVA :—" Will the Government consider any proposal for giving free education for Adi-Dravidas in secondary schools? "

The hon. Dr. P. SUBBARAYAN :—" The question of giving free education in secondary schools is, as I have often said, a matter of finance, and in the present state of our finance, the task will be almost superhuman."

Mr. BASHEER AHMAD SAYEED :—" May I know, in view of the very liberal grant which the Government are proposing to give to the Sir Annamalai University, whether it is really impracticable to remit fees for Adi-Dravida students who attend secondary schools? "

The hon. the PRESIDENT :—" The question is argumentative."

Mr. BASHEER AHMAD SAYEED :—" May I know whether the Government will at least consider the necessity of remitting fees for the Adi-Dravida pupils? "

The hon. Dr. P. SUBBARAYAN :—" The Government are giving through the Labour department as much facility as could be given at present for the higher education of Adi-Dravida pupils."

Mr. BASHEER AHMAD SAYEED :—" Will they not make it a rule that Adi-Dravida pupils may be admitted free of any fees in all the schools? "

The hon. P. SUBBARAYAN :—" As I said before, Sir, that will be an impossible task."

Introduction of agriculture in the training course for secondary-grade teachers.

* 85 Q.—The ZAMINDAR OF GOLLAPALLI : Will the hon. the Minister for Education and Local Self-Government be pleased to state whether the Government will be pleased to consider the proposal of certain agencies to introduce agricultural training in the training course provided for the teachers of the secondary grade?

A.—The Government do not consider that the introduction of agricultural training in all secondary training schools is either necessary or practicable

Local Boards

Construction of the Srisaïlam road.

* 86 Q.—Mr. G. HARISARVOTTAMA RAO : Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) Whether the correspondence between the Government and the President, District Board, Kurnool, regarding the Srisaïlam road has reached such a stage as to allow the project to be taken up ;

(b) if so, whether he will be pleased to state when the construction of the road is expected to begin ; and

(c) if not, whether he will kindly state what has so far taken place?

A.—(a) No.

(b) & (c) The proposal is still under correspondence.

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Mr. G. HARISARVOTTAMA RAO :—" May I know from the hon. the Minister for Education and Local Self-Government, with reference to the answer to clause (c), whether any representation has been made by the President of the District Board that the Government might contribute a larger share towards the expenditure on the construction of the Srisailam road ? "

The hon. Dr. P. SUBBARAYAN :—" A proposal to that effect was made by the District Board President, Kurnool ; but the Government have not found it feasible to accept it."

Religious and Charitable Endowments

Amendment of the Hindu Religious Endowments Act.

* 87 Q.—Mr. A. B. SHETTY : Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether the Government propose to remove the defects found in the working of the Hindu Religious Endowments Act and brought to the notice of the Government by the Board by making the necessary amendments in the Act, and if so, when ; and

(b) whether the Government have considered the suggestion of the Endowments Board regarding the question of bearing the cost of the Board's administration from Provincial Funds and of abolishing the contribution payable to the Board ?

A.—(a) The Hindu Religious Endowments Board has submitted a draft Bill to amend the Hindu Religious Endowments Act, 1926. The provisions of the Bill are now under scrutiny. The Bill will be introduced as soon as its provisions have been settled.

(b) The suggestion is under the consideration of Government.

Mr. A. B. SHETTY :—" With reference to clause (b), may I know how long this suggestion has been before the Government and when a decision is likely to be reached ? "

The hon. Dr. P. SUBBARAYAN :—" I cannot say exactly when a decision on this point would be reached ; but I have been looking into the matter for the last two months."

Civil Justice

Transfer of the Guntur Sarishtadar.

* 88 Q.—Mr. G. R. PREMAYYA : Will the hon. the Law Member be pleased to state—

(a) whether any transfers of District Court Sarishtadars in the Presidency were ordered by the High Court before the summer recess ;

(b) why the Guntur Sarishtadar was not transferred ; and

(c) whether Government will be pleased to address the High Court to transfer him ?

A.—(a) & (b) The Government have no information.

(c) Under the Madras Civil Courts Act, 1873, the transfer of Sarishtadars is a matter within the discretion of the High Court.

11-45
a.m.

Mr. G. R. PREMAYYA :—" Will the Government be pleased to call for the information with reference to clauses (a) and (b), and place it on the table of the House ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Yes, Sir."

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A circular of the High Court regarding appointments in the Civil Courts.

* 89 Q.—Mr. G. R. PREMAYYA : Will the hon. the Law Member be pleased to state—

(a) whether the Government are aware of the High Court's Circular Dis. No. 707 of 1925, dated 20th March 1925 (copy enclosed)^a; and

(b) what steps the Government or the High Court take when the circular is disregarded?

A.—(a) The Government have now read the hon. Member's copy of the High Court's circular referred to.

(b) The High Court takes steps to see that its orders are carried out.

Communal representation in the Judicial department of Nellore, Kurnool and East Godavari districts.

* 90 Q.—Mr. G. R. PREMAYYA : Will the hon. the Law Member be pleased to state—

(a) what is the proportion of the various communities in the grades 180—10—240, 125—5—150, 80—4—120, 60—4—80, 35—35—1½—50—1—60 and 35—1—40 in the Judicial department of the Nellore, Kurnool and East Godavari districts; and

(b) how many vacancies had arisen in the several grades from 1921 till the end of April 1928, and how they were filled up?

A.—(a) & (b) The Government have no information.

Mr. G. R. PREMAYYA :—“Sir, the answer says the Government have no information. May I request the hon. the Law Member to obtain the information and place it on the table?”

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—“I shall call for information on point (a), but I do not think that any public interest will be served by calling for information on point (b).”

Claims of Indian Christians to Judicial posts.

* 91 Q.—Mr. J. A. SALDANHA : Will the hon. the Law Member be pleased (i) to place before the Council a statement showing the number of judicial officers including stipendiary magistrates during the year ending 1st July 1928, their nationality, religion, caste, and qualifications; and (ii) to state—

(a) why hardly any or no Indian Christian has been appointed to judicial posts during that period;

(b) whether it is a fact that there is a greater percentage of law graduates and legal practitioners from among Indian Christians than in any other community or caste except Brahmans; and

(c) what action has been or is being taken in regard to the claims of Indian Christians to judicial posts in the High Court and other courts including magisterial courts?

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- A ---(i) The Government do not think it worth while collecting the information required.
- (ii) (a) & (c) As far as practicable in making appointments the claims of Indian Christians also are taken into consideration.
- (b) The Government have no information.

Hydro-electric Schemes

Hydro-electric works and schemes in this Presidency.

* 92. Q.—Mr. J. A. SALDANHA: Will the hon. the Law Member be pleased to state in what stage of execution or development or prospective planning the various hydro-electric works and schemes are in this Presidency with their cost, plans and estimates?

A.—The Chief Engineer for Hydro-electric Development has submitted to Government estimates for the following schemes :—

- (1) the Pykara project;
- (2) the Glen Morgan scheme; and
- (3) the Papanasam project.

Reports and estimates on other schemes have not yet been received.

Pykara Project.

The attention of the hon. Member is invited to the Press Communiqué issued on 19th June 1928 (G.O. No. 1565 W.). As stated in it, three schemes (a), (b) and (c) have been submitted. Scheme (c) has not been worked out in detail. Scheme (a) is estimated to cost about Rs. 220 lakhs in the first year of operation rising to Rs. 308 lakhs in the tenth year and ultimately to Rs. 693 lakhs. Scheme (b) is estimated to cost about Rs. 188 lakhs in the first year, about Rs. 308 lakhs in the tenth year and ultimately Rs. 709 lakhs. The proposals are under examination by Messrs. Merz and Partners, Consulting Engineers to the Railway Board, with reference to the question of Railway electrification.

Glen Morgan Hydro-electric Scheme.

An estimate of Rs. 12·80 lakhs for this scheme has recently been approved by Government in G.O. No. 1770 W., dated 16th July 1928, which has been placed on the Editors' Table. Work on the scheme is being started. A note explaining the scheme in detail has been placed before the Finance Committee and will be found in the Proceedings of the Committee placed on the Council table.

Papanasam Project.

Two schemes have been worked out. The first is estimated to cost Rs. 50·53 lakhs, while the second is estimated to cost about Rs. 98·56 lakhs in the first year of operation rising to Rs. 138·5 lakhs in the fifth year. The proposals are under consideration by Government.

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Mr. J. A. SALDANHA :—" May I inquire whether the details of the several schemes will be placed before this House before they are finally sanctioned and the work taken up for execution ? Is it the intention of the Government, Sir ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" With reference to the Glen Morgan Hydro-electric Scheme, it has already been sanctioned by the Government. And I may tell my hon. Friend generally that Government have no intention of concealing anything from this hon. House. They want the hearty co-operation . . . "

Mr. S SATYAMURTI :—" On a point of order, Sir. This is not the time for making speeches."

The hon. the PRESIDENT :—" The hon. Member has got the right to make a statement."

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" My hon. Friend Mr. Saldanha wanted some information and I was going to give it. . . . "

The hon. the PRESIDENT :—" We will have to go on with the questions."

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" If that be the case, I shall not give the answer at all."

The hon. the PRESIDENT :—" The hon. Member will go on."

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" My answer with reference to the Glen Morgan Scheme is that it has already been sanctioned by the Government. With reference to the other schemes, I will consider the suggestion of my hon. Friend, Mr. Saldanha."

Depressed Classes

Government aid to Adi-Dravidas for building houses.

* 93 Q.—Mr. A. B. SHETTY: Will the hon. the Home Member be pleased to state—

(a) the help rendered by Government to the Adi-Dravidas to put up cottages on the house-sites granted to them ;

(b) whether timber, bamboos, etc., are freely supplied to them from Government lands ; or

(c) whether they are given any money grants ?

A.—(a) & (b) Attention is invited to the annual administration reports of the Labour Department which have been placed on the Editors' Table. In cases where the depressed classes are too poor to purchase building materials, such articles are supplied to them free.

Mr. V. I. MUNISWAMI PILLAI :—" Sir, with reference to the answer given that building materials are supplied free to Adi-Dravidas, may I know from the hon. the Home Member the districts where such supplies were made ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" I should like to have notice, Sir."

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Labour*Fixation of a minimum limit for deposits under Workmen's Compensation Act.*

* 94 Q.—MR. A. RANGANATHA MUDALIYAR: Will the hon. the Home Member be pleased to state—

(a) whether the Government of India have been addressed in regard to Sir George Paddison's suggestion that a minimum limit should be fixed in respect of the deposits of compensation under section 8 (2) of the Workmen's Compensation Act, 1923; and

(b) if so, when, and with what result?

A.—(a) Yes.

(b) In July 1927: the suggestion is being considered by the Government of India along with other suggestions for the amendment of the Act.

MR. A. RANGANATHA MUDALIYAR:—"May I know whether after July 1927 a further reference with regard to this matter was made?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"No, Sir."

Amendment of the Workmen's Compensation Act, 1923.

* 95 Q.—MR. A. RANGANATHA MUDALIYAR: Will the hon. the Home Member be pleased to state the steps taken by the Government—

(i) to modify or get modified section 1 (4) D of the Workmen's Compensation Act, 1923, so as to provide that, if the disablement continues beyond ten days, the half-monthly payment should be declared payable from the date of the accident;

(ii) to fix the minimum compensation due to the families of workmen for fatal accidents at Rs. 750;

(iii) to put an end to the recovery of medical and hospital charges from the compensation payable to workmen when they are attended by qualified medical practitioners under section 11 of the Act; and

(iv) to empower the Commissioner to take action *suo motu* in cases where compensation is not deposited with him or to ask for details of how the compensation amounts were fixed in cases not filed before him?

A.—The Government of India have been addressed in the matter.

Deduction of money order commission from compensation to minor dependants of workmen.

* 96 Q.—MR. A. RANGANATHA MUDALIYAR: Will the hon. the Home Member be pleased to state—

(a) whether the money order commission paid for remittances made to guardians of minor dependants of workmen is deducted from the amount of compensation at the credit of the minor dependants; and

(b) if so, the steps taken by the Government to put an end to such a practice?

A.—(a) Yes.

(b) The Government of India have been addressed in the matter.

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Refund of doctor's fees, etc., deducted from the compensation due to workmen.

* 97 Q.—MR. A. RANGANATHA MUDALIYAR: Will the hon. the Home Member be pleased to state for the year 1927—

(a) the cases in which the employers deducted—

(i) Doctor's fees; and

(ii) other expenses such as medicine and food respectively from the compensation due to workmen; and

(b) the measures taken for having such amounts refunded to the workmen?

A.—(a) The Government have no information.

(b) The Government cannot take any action in the matter. It is for the workmen concerned to avail themselves of the provision of the Workmen's Compensation Act.

MR. A. RANGANATHA MUDALIYAR:—"With reference to clause (a), will the Government be pleased to call for information whether there was really any deduction made for doctor's fees and other expenses, and if so, how many such cases there are."

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"I will consider it."

Motor Vehicles Act

Increase of levy for 'G' permit for taxi cars.

* 98 Q.—MR. K. R. KARANT: Will the hon. the Home Member be pleased to state—

(a) whether it is a fact that whilst before March last taxi cars had to pay only Rs. 8 for the 'G' permit, since then they have to pay in addition to the said amount Rs. 20 for every six months for brake inspection, so that in all they have now to pay Rs. 48 per year;

(b) under what rules or law the said imposition is made;

(c) what steps the Government have taken or intend to take to reduce such demands; and

(d) whether Government derive any profit out of these charges or whether they only meet the cost of the services of the inspecting agency?

A.—(a) Yes.

(b) The fees are levied under the Motor Vehicles Act and Rules.

(c) None.

(d) Some profit is made over and above the cost of the inspecting agency. Government do not consider that the fees are high. They are charged both for inspection by a competent person and for guaranteeing a sense of responsibility in the car owners.

MR. K. R. KARANT:—"May I ask, with reference to clause (a), whether before raising the fee from Rs. 8 to Rs. 48 any objections from the public were invited?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"I do not think so, Sir."

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Police*Exemption of Mr. Padmappa from Public service qualifications.*

* 99 Q.—MR. K. R. KARANT: Will the hon. the Home Member be pleased, with reference to the answer to question No. 1785, dated 23rd March 1928, (i) to place on the table of this House a statement showing the full qualifications, such as educational, departmental, length of service, etc., of the various sub-inspectors on duty in South Kanara on the date when Mr. Padmappa was granted exemption including the qualifications of Mr. Padmappa and (ii) to state—

(a) for what period the said Mr. Padmappa was serving as a head constable and under which of the sub-inspectors;

(b) on what date he was made a sub-inspector;

(c) to how many of the sub-inspectors aforesaid he was a junior;

(d) how long he was in the last grade of sub-inspectors and when he was promoted to the first grade all at once;

(e) how many and which of the other sub-inspectors had acted as inspectors and whether they were found competent or incompetent; if so, which of them; and

(f) whether the Government will call for the information and place on the table of the House the certificate of exemption in question?

A.—(i) & (ii) (a) to (d) The Government have no information; they have called for it.

(ii) (e) The Government will inquire as to the points raised in the first part of the question but must decline to enter into the comparative competence or incompetence of various officers.

(f) A copy of G.O. No. 1340, Public, dated 22nd December 1927, is laid on the table. ^a

MR. K. R. KARANT:—“ May I ask the hon. the Home Member whether the exemption in question does not do injustice to 32 sub-inspectors? ”

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—“ The question has already been decided, Sir.”

Economic condition*Free supply of building materials to sufferers from fire accidents in Tiruvannamalai division.*

* 100 Q.—MR. T. ADINARAYANA CHETTIYAR: Will the hon. the Member for Revenue be pleased to state—

(a) whether he is aware that serious and destructive fires broke out in Tiruvannamalai division, North Arcot district, recently;

(b) the number of fires since January last, the number of houses burnt down and the approximate value of property lost through these fires;

(c) whether Government gave any help to these sufferers in the matter of rebuilding their huts; and

(d) whether the Government will be pleased to investigate into the matter and order the free supply of building materials to the sufferers?

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A.—(a) & (b) The Government are aware that a fire occurred in Tiruvannamalai town on 8th January 1928 and that about 130 houses were destroyed. The value of the property lost has not been reported. The Government are not aware of any other fire in Tiruvannamalai division since January last.

(c) & (d) The Collector of North Arcot sanctioned the free grant of building materials to the value of Rs. 978-8-0 to the persons affected by the fire which broke out on 5th January 1928.

Forest Panchayats

Improvement of the supply of avaram bark.

* 101 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Member for Revenue be pleased to state—

(a) whether the forest panchayats have agreed to improve the supply of avaram bark;

(b) the steps taken by them to carry out their promise together with the cost they have incurred or are likely to incur thereby; and

(c) whether the Government have guaranteed to the panchayats to make good any loss they may incur as the result of their undertaking to improve the supply of avaram bark?

A.—(a), (b) & (c) The Government have not the information and have called for a report.

General

Constitution of a separate Andhra province.

* 102 Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Member for Revenue be pleased to state—

(a) whether any further steps have been taken by the Government of Madras in the matter of the constitution of a separate Andhra province beyond sending up to the Government of India the discussion in the Council;

(b) whether the Government of India have held any correspondence with the Government of Madras on this question since February 1928; and

(c) if so, what the correspondence is?

A.—(a) No.

(b) & (c) The answer to clause (b) is in the negative.

Mr. G. HARISARVOTTAMA RAO:—"May I know from the hon. the Revenue Member whether he is prepared once more to communicate with the Government of India and let this House know what has taken place with regard to the resolution of this House?"

The hon. Sir NORMAN MAJORIBANKS:—"In regard to what, Sir."

Mr. G. HARISARVOTTAMA RAO:—"Whether the Government of India has the matter under consideration, whether they have disposed it of, and, if they have disposed it of, in what manner?"

The hon. Sir NORMAN MAJORIBANKS:—"No, Sir. The answer to the question is there."

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Irrigation

Reduction of assessment on second crop in Anantapur district.

* 103 Q.—MR. G. HARISARVOTTAMA RAO : Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government have considered Mr. Rutherford's view—vide page 74 of Legislative Council Proceedings, dated 13th March 1928—that the second crop charge under spring channels in the Anantapur district should be reduced to a flat rate and that they should be classed as “precarious sources”; and

(b) if so, what action they propose to take in the matter?

A.—(a) & (b) The Government considered the report of the Board of Revenue on the subject (which report is laid on the table)^a and in agreement thereto decided not to take action in the direction suggested.

MR. G. HARISARVOTTAMA RAO :—“With reference to the appendix, which admits as it does that it is not possible to fix exactly appropriate rate of faslijasti without exhaustive enquiries in several districts, may I know from the hon. the Revenue Member whether he is prepared to get an enquiry made so far as the Anantapur district is concerned as a typical case?”

The hon. Sir NORMAN MARJORIBANKS :—“I do not agree with the premise, and therefore do not accept the suggestion.”

Assistance to ryots for the execution of kudimaramat works.

* 104 Q.—MR. G. HARISARVOTTAMA RAO : With reference to paragraph 2 (A) of G.O. Mis. No. 2463, Revenue, dated 30th November 1927, will the hon. the Member for Revenue be pleased to state—

(a) what steps the Government have taken to let people know of their readiness to help them in cases where, owing to long continued neglect, for many years past during which period the Revenue Officers have omitted to enforce the work of repair by customary labour, the work involves considerable labour and expense;

(b) whether applications have been received in any individual cases;

(c) whether any amount has been set apart for this purpose; and

(d) whether any help has been rendered in this direction since 13th March 1928?

A.—(a) The Government Order on the subject has been issued as an instruction to all Revenue and Public Works Department officers and the Board's Standing Order on the subject will be amended in due course.

(b), (c) & (d) No case has been so far reported for the orders of Government.

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Investigations regarding the Kanchalamma tank project.

* 105 Q.—MR. G. HARISARVOTTAMA RAO: Will the hon. the Member for Revenue be pleased to state regarding the Kanchalamma tank project (vide page 335, Madras Legislative Council Proceedings, Vol. XXXVIII)—

(a) what steps have been taken to let the villagers concerned know of the intentions of the Government;

(b) whether the question of the water-rate has been discussed with them by any responsible officer; and

(c) if so, what the result of such discussion was?

A.—(a), (b) & (c) A report has been called for.

Re-examination of the Gudempad project.

* 106 Q.—MR. G. HARISARVOTTAMA RAO: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government is re-examining the Gudempad project in the Dhone taluk of the Kurnool district; and

(b) if not—

(i) whether it is a fact that in 1912 it was estimated to yield a net revenue of 2.5 per cent,

(ii) why the project was thereafter dropped,

(iii) whether the Government now propose to re-examine the scheme?

A.—The consideration of the Gudempad project was postponed in 1912 until experience had been gained of the working of the Venkatapuram and Kocheruvu tanks then under construction. The Government have recently called for a report from the Chief Engineer on the question of the revival of the project.

Re-examination of the Duvvaleru project.

* 107 Q.—MR. G. HARISARVOTTAMA RAO: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government are re-examining the Duvvaleru project in the Markapur taluk of the Kurnool district; and

(b) if not—

(i) whether it is a fact that in 1922 it was estimated that the net revenue with a water-rate of Rs. 8 and Rs. 4, would be Rs. 5,797,

(ii) why the project was thereafter dropped,

(iii) whether the Government now propose to re-examine the scheme?

A.—(a) Gaugings of the river Duvvaleru have been taken and the Chief Engineer has been asked to report whether the results show that the project is feasible;

(b) (i) & (ii) The figures given by the Hon'ble Member are correct except that the year referred to is 1920. In that year detailed investigation was ordered and gaugings began to be taken. The project was not thereafter dropped.

(b) (iii) The attention of the Hon'ble Member is invited to the answer to clause (a).

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Repairs to the supply vagu to Damerla tank.

* 108 Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Member for Revenue be pleased to state—

(a) how long the supply vagu to the Damerla tank in the Cumbum taluk of the Kurnool district has been breached at Kottapalli;

(b) what the acreage and assessment under the said tank is—

(i) under double crop wet,

(ii) single crop wet,

(iii) irrigable dry;

(c) whether owing to the breach Gojeruvu tank which received its supply from the surplus water of this vagu, is in danger of being flooded by rush of water beyond its capacity; and

(d) why the supply vagu to the Damerla tank has not been repaired yet?

A.—(a), (c) & (d) Information on these points has been called for.

(b) The following particulars are taken from the Settlement Registers:—

*Damarla cheruvu—Fasli 1319—Class III—Capacity—
6 months.*

Registered double crop wet	Nil.
First crop wet	312 acres.
Dry irrigated in fasli 1319	28 "
Second crop wet in fasli 1319	43 "
Assessment	Rs. 1,721
Charge for water (on dry crop)	" 188
Net revenue	Rs. 1,909

*Gocheruvu tank—Class III—Capacity—6 months—
Fasli 1318.*

First crop wet	Nil.
Dry irrigated	6 acres.
Actual area of second crop	Nil.
Assessment (wet)	Nil.
Charge for water on dry crops	Rs. 23

Land Assignment

Facilities to Adi-Dravidas for improving waste lands.

* 109 Q.—Mr. A. B. SHETTY: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government are aware that the waste lands assigned to the Adi-Dravidas through the Labour department in South Kanara are generally third-rate dry lands which cannot be brought under cultivation without spending a good deal of labour and money;

(b) whether a portion of the lands granted are resumed year after year on account of the assignees' failure to pay the assessment;

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(c) whether the Government propose to give any special facilities to these people to improve the land and make it productive ; and

(d) whether they have considered the question of waiving the assessment for the first few years until the land brings in a return ?

A.—(a) & (b) The Government are not aware that the facts are as alleged.

(c) There is no such proposal under the consideration of the Government.

(d) The question of remitting for the first few years the assessment on all lands assigned to the depressed classes in the Presidency was considered by the Government in 1922. The Government then came to the conclusion that a general exemption of this kind was not calculated to further the object in view. The Government have, however, sanctioned the exemption of lands assigned to the depressed classes from the liability to pay assessment and irrigation cess in certain special cases, e.g., lands in the Divi Island, and in Kistna and Nellore districts.

Mr. A. B. SHETTY :—“ With reference to the answer to clauses (a) and (b), may I know whether Government will call for a report from South Kanara ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ Yes, Sir.”

Reservation and Assignment of lands to depressed classes.

* 110 Q.—Mr. J. A. SALDANHA : Will the hon. the Member for Revenue be pleased—

(i) to place before the Council a statement showing

(a) the areas in the several districts of lands,

(1) reserved for the depressed classes,

(2) assigned to them,

(b) the conditions as to payment of assessment, cultivation, building houses, etc., under which such lands have been assigned and

(c) the areas of lands resumed for neglect of the terms, and

(ii) to state—

(a) whether on the whole the conditions laid down have been observed by the assignees ;

(b) how many wells have been dug (i) by the assignees or (ii) by Government in the lands assigned and at what cost ; and

(c) what steps have been taken (i) to notify the survey numbers or sub-survey numbers of the lands (a) reserved for the depressed classes, and (b) assigned to them, and (ii) to indicate by walls or fences such (a) reserved and (b) assigned lands ?

A.—(i) (a) The attention of the hon. Member is invited to statements VII and II appended to the Administration Report of the Labour Department for the year ending 31st March 1927 printed in G.O. No. 2434 L., dated 26th October 1927, which has been placed on Editor's Table.

(b) The assignment of cultivable land to depressed classes is on ordinary ryotwari tenure with the special conditions specified in clauses (d) and (f) of paragraph 38 of B.S.O.

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No. 15. The assignment of house-sites in villages is free of assignment and subject to the conditions specified in Appendix XXI at page 82 of Board's Standing Orders, Volume II.

- (c) The Government have no details on this point.
- (ii) (a) The Government cannot say as no detailed investigation of the matter has been yet made. The Commissioner of Labour and the Board of Revenue are considering the question of organizing a system of regular inspection of lands assigned to depressed classes in order to ensure that the special condition prohibiting alienation is observed and that the assignees really own the land assigned.
- (b) The hon. Member is referred to paragraph 50 and statement VI in the Administration Report printed in G.O. No. 2434 L., dated 26th October 1927, referred to above which contains all the information that has been compiled.
- (c) (i) (a) The hon. Member is referred to B.P. No. 1187, dated 5th March 1925, which was laid on the Council table on 20th August 1925.
- (c) (i) (b) The Government presume that assigned lands are omitted from the lists published under the Board's instructions referred to in the answer to the previous clause; but will enquire.
- (c) (ii) (a) & (b) Walls and fences are not recognized survey marks under the Madras Survey and Boundaries Act, VIII of 1923. Assigned lands are mapped by survey numbers and subdivisions and demarcated with stones separately from unassigned lands.

Mr. J. A. SALDANHA :—"With reference to clause (i) (c), will Government be pleased to call for a report on the subject?"

The hon. Sir NORMAN MAJORIBANKS :—"If the hon. Member will refer to the answer to clause (ii) (a), it would be clear that 'the Commissioner of Labour and the Board of Revenue are considering the question of organizing a system of regular inspection of lands assigned to depressed classes in order to ensure that the special condition prohibiting alienation is observed and that the assignees really own the land assigned.' In view of that, the Government do not propose to make an independent enquiry."

Land Revenue

Land Revenue Bill based on joint Parliamentary Committee's recommendations.

* 111 Q.—Mr. S. SATYAMURTI : Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government propose to introduce a Land Revenue Bill to carry out the recommendations of the Joint Parliamentary Committee of 1919 during the life of this Council ;

(b) if not, why not ; and

(c) when this Government addressed the Government of India last on this Bill, and what was their reply ?

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A.—(a) & (b) The attention of the hon. Member is invited to the statement made by the hon. the Revenue Member about the Land Revenue Settlement Bill in his speech on the general discussion of the Budget for 1928–29 on 2nd March 1928.

(c) A letter from the Government of India on the subject was answered on 7th October 1927. No further communication has been received from that Government.

Mr. S. SATYAMURTI :—“ May I know whether subsequent to 2nd March 1928 to which reference is made in answer to clauses (a) and (b), this Government addressed the Government of India with regard to permission to introduce a Bill in consonance with the wishes of this House on this matter ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ The question is answered, Sir, that no further communication has been received from that Government.”

Mr. S. SATYAMURTI :—“ I am asking with reference to the statement made by the hon. the Revenue Member on 2nd March 1928, that ‘ it is not open to this Government to bring forward a Bill with a provision making the rates of assessment subject to the vote of this House. And the reason why Government have not brought forward a Bill is that the House has more than once clearly expressed the view that they are not willing to accept a Bill which does not contain such a provision.’ I am asking whether subsequent to that statement this Government have addressed the Government of India whose permission is presumably what is required before the Government can introduce a Bill of that kind.”

The hon. Sir NORMAN MARJORIBANKS :—“ No, Sir.”

Mr. S. SATYAMURTI :—“ May I know why the Government have not introduced a Bill ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ The Government have already explained why, Sir.”

Mr. S. SATYAMURTI :—“ Is it not open to this Government to ask the Government of India to reconsider the matter in view of the opinion of this House ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ I do not think so, Sir.”

Mr. S. SATYAMURTI :—“ I am asking whether it is not open to this Government to address the Government of India ? ”

The hon. the PRESIDENT :—“ In the opinion of the Government, it is not open.”

Mr. S. SATYAMURTI :—“ May I know if it is intended by this Government to take no further action on this matter ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ In the circumstances, no.”

Mr. S. SATYAMURTI :—“ What are the circumstances under which this Government will approach the Government of India ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ I cannot prophesy, Sir.”

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Loans*Loans under the Land Improvement and the Agriculturists Loans Acts.*

* 112 Q.—Mr. A. RANGANATHA MUDALIYAR : Will the hon. the Member for Revenue be pleased to state—

(a) the total amount of loans disbursed every year in the Bellary district under the Land Improvement and the Agriculturists Loans Acts respectively from the year 1921 ;

(b) the total amount of the instalments that were due for repayment and the amount out of them actually collected or postponed as the case may be in each of the said years, and

(c) the total number of cases together with their amount ordered to be summarily recovered in each of the above years ?

A.—(a) & (b) The hon. Member is referred to statements 16 and 17 appended to the annual jamabandi reports which have been placed on Editors' Table.

(c) This information is not available from any existing return and would have to be specially compiled.

Mr. A. RANGANATHA MUDALIYAR :—“With reference to the answer to clause (c) that the information is not available for all the years, can I have the information for the last two years ?”

The hon. Sir NORMAN MARJORIBANKS :—“I will consider the suggestion, Sir.”

Working of the Land Improvement Loans Act and the Agriculturists Loans Act.

* 113 Q.—Mr. A. RANGANATHA MUDALIYAR : Will the hon. the Member for Revenue be pleased to state the proposals under the consideration of the Government for improving the working of the Land Improvement Loans Act and the Agriculturists Loans Act ?

A.—The Government are investigating the question of the feasibility of reducing the rate of interest charged on advances made to cultivators under the Loans Acts. They have also under consideration the question of amending the rule relating to the levy of penalty on arrears.

Public Service Commission*Public Services Commission Bill.*

* 114 Q.—Mr. S. SATYAMURTI : Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government propose to introduce a Public Services Commission Bill ;

(b) if so, on what lines ; and

(c) when ?

A.—The matter is under correspondence with the Government of India. The Government are therefore unable to make any statement on the subject at this stage.

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Mr. S. SATYAMURTI :—" Since this answer was sent, may I know if any further correspondence has passed with regard to this Bill and at what stage the matter stands ? "

The hon Sir NORMAN MARJORIBANKS :—" No, Sir."

Secretariat

Communal representation in the Law Secretariat.

* 115 Q.—Mr. G. R. PREMAYYA : Will the hon. the Member for Revenue be pleased to state—

(a) what is the proportion at present of the various communities in each of the several grades both in the Gazetted and Non-Gazetted service till the grade 40—40—1½—55—1—65, in the Law Secretariat of the Government of Madras ; and

(b) how many vacancies have arisen in the several grades from 1921 till the end of April 1928, and how they were filled up ?

A.—(a) The hon. Member is referred to the establishment list of the Law Secretariat corrected up to the 31st March 1928, copy of which is available in the Legislative Council Library.

(b) The Government regret that they are aware of no sufficient reason for undertaking the compilation of the information asked for.

Settlement

Names of villages in Godavari and Kistna districts selected for enquiring into the indebtedness of ryots.

* 116 Q.—Mr. D. NARAYANA RAJU : With reference to paragraph 38 of the scheme report for the resettlement of Godavari and Kistna districts, will the hon. the Member for Revenue be pleased to state—

(a) what are the villages selected for making enquiries into the indebtedness of the ryots ;

(b) how many ryots were examined in each of the said villages ; and

(c) whether a list of the ryots examined would be placed on the table of the House together with a tabulated statement of the facts deposed to by each of them ?

A —(a), (b) & (c) The Government have no further information other than that already published in the scheme report.

Mr. D. NARAYANA RAJU :—" May I know whether the hon. the Revenue Member will be pleased to call for the information asked for in the question ? "

The hon. Sir NORMAN MARJORIBANKS :—" As regards clauses (a) and (b), yes ; not as regards (c) because the Government do not feel justified in publishing the private affairs of ryots."

Mr. A. RANGANATHA MUDALIYAR :—" In view of the fact that there are statements in the scheme report which have been based on an enquiry into the condition of the ryots, is it not necessary that the names of those ryots should be given to indicate whether or not the enquiry will justify the conclusions ? "

The hon. Sir NORMAN MARJORIBANKS :—" I do not think that the names are material."

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Proposals of the Special Settlement Officer regarding kistbandi and the enhancement of ground-rents in Godavari and Kistna districts.

* 117 Q.—MR. D. NARAYANA RAJU : Will the hon. the Member for Revenue be pleased to state—

(a) whether, as stated in paragraphs 54 and 55 of the Scheme Report for the resettlement of Godavari and Kistna districts, the Special Settlement Officer has since submitted his proposals regarding kistbandi and the enhancement of ground-rents ; and

(b) if so, whether copies of those proposals would be placed on the table of the House ?

A.—(a) & (b) *Kistbandi*.—Prior to the scheme report, the Special Settlement Officer had submitted proposals regarding the kistbandi for Razole taluk. Orders were passed on them in G.O. No. 1728, dated 8th October 1926, which was placed on the Editors' Table. Regarding the other taluks, the Special Settlement Officer did not propose any change and none has been made.

Ground-rent.—The Special Settlement Officer's proposals have not yet been received.

MR. D. NARAYANA RAJU :—“ May I know whether the Government propose to publish the proposals of the Settlement Officer with regard to ground-rents, when they are received ? ”

The hon. Sir NORMAN MARJORIBANKS :—“ The suggestion will be considered, Sir.”

[*Note*.—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

III

DURATION OF THE PRESENT SITTING OF THE COUNCIL.

* MR. T. ADINARAYANA CHETTIAR :—“ Before we proceed to the next item on the agenda, I may say that some Members on this side are anxious to know how long this sitting will last, and whether there is going to be any meeting on Friday, which I understand is a public holiday. I ask because we have not made considerable progress so far in view of the large number of items on the agenda not yet reached.”

* The hon. the PRESIDENT :—“ Will the Government make a statement ? ”

* The hon. Sir NORMAN MARJORIBANKS :—“ If we finish the business on which we are engaged at present, we need not prolong the sitting. If not, we should go on either on Friday or on Saturday.”

MR. C. V. VENKATARAMANA AYYANGAR :—“ Do they want to continue the sitting till all the business is finished, or will it not suffice for the Government if the Simon Committee motion is disposed of ? Can they not postpone the other items of business to the next meeting.”

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* The hon. the PRESIDENT :—" I think the Government will be able to answer that point."

The hon. Sir NORMAN MARJORIBANKS :—" Yes, Sir, as soon as we see how the matters stand at the end of this day."

IV

ADJOURNMENT MOTION *IN RE* THE CARNATIC PAPER MILLS, LIMITED, RAJAHMUNDRY.

* The hon. the PRESIDENT called upon Mr. J. A. Saldanha to make his motion on the question of Mettur, and Mr. J. A. Saldanha said :—" I am not going to move that, Sir."

Mr. K. V. R. SWAMI :—" I move for the adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance, namely, the question of recent negotiations for sale of the interest that the Government have acquired in the Carnatic Paper Mills, Limited, Rajahmundry."

* The hon. the PRESIDENT :—" I wish to know what the Government have to say on the point of urgency and on the point whether the motion relates to a matter of recent occurrence." 12 noon.

The hon. Mr. M. R. SETURATNAM AYYAR :—" I am afraid, Sir, that the question is not so urgent as the hon. Member seems to think. I assure him that I shall have the matter discussed with him this afternoon and I am confident that I shall convince him that an adjournment of the business of the House is not necessary. I have no objection to have the matter discussed in the House; but I do not think that the hon. Member will press it after he has discussed the matter with me."

Mr. K. V. R. SWAMI :—" We may arrange to have the motion taken up to-morrow. If I am in the meanwhile satisfied with the explanation of the Minister, I shall not press it."

* The hon. the PRESIDENT :—" No such arrangement is possible. Has the hon. Minister any objection regarding the urgency and the recency of occurrence of the matter?"

The hon. Mr. M. R. SETURATNAM AYYAR :—" I have no objection; only I request that this matter may be taken up for discussion day after to-morrow."

* The hon. the PRESIDENT :—" It cannot be done under the Standing Orders. I hold that the motion is in order. Does any member of the House object? (After a pause.) No objection having been raised, I fix to-morrow 2-30 p.m. as the time when this matter will be taken up for discussion."

V

COMMUNICATION TO THE COUNCIL.

The SECRETARY laid on the table copies of the Press Communiqué dated 31st August 1928, containing a brief statement of the facts of the South Indian Railway strike and the attitude of the Government in relation thereto.

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ELECTION OF A COMMITTEE OF THE COUNCIL FOR CONFERRING WITH
THE INDIAN STATUTORY COMMISSION—*cont.*

* The hon. the PRESIDENT :—"The hon. Member for the University said yesterday that 'Reforms' is not one of the portfolios of the hon. the Revenue Member. But the distribution of portfolios published with the proceedings of the Council, dated 27th March 1928, shows that Reforms is one of the Central subjects included in the portfolio of the hon. the Revenue Member."

MR. S. SATYAMURTI :—"Sir, my point was and is that this is a Central subject which this Government can at best administer only as an agent for the Central Government. My second point was that while the business of sending despatches to the Government of India or to the Secretary of State on the subject of Reforms may be in the portfolio of the hon. Member, the work of the Simon Commission and the appointment of a committee by this Council to confer with the Statutory Commission cannot be said to be a department administered by the hon. the Revenue Member whose sanction is necessary for this motion being in order."

MR. K. R. VENKATARAMA AYYAR :—"Sir, I wish to raise certain points of order in connexion with the motion now moved."

* The hon. the PRESIDENT :—"Are they fresh points of order?"

MR. K. R. VENKATARAMA AYYAR :—"I shall simply mention them. The present motion contravenes rule 24 (a) (1) and (2) read with Standing Orders Nos. 54 and 55."

* The hon. the PRESIDENT :—"I believe the hon. Member has already given us his assistance yesterday on this question. I should like to avoid repetition."

MR. K. R. VENKATARAMA AYYAR :—"The next point is that the motion raises substantially the same question as was raised in the House in its resolution of 24th and 25th January 1928 and is therefore in contravention of Standing Order No. 65 (1)."

* MR. J. A. SALDANHA :—"Sir, I rise to a point of order which has been touched from another point of view by the hon. Member for the University. The question that was debated in the House last January was whether the House should co-operate with the Simon Commission and the House decided that they would have nothing to do with it. It is beyond the competency of this House, it is *ultra vires* of this House, to take up this question now. The House has no powers to appoint a committee to co-operate with the Simon Commission."

* The hon. the PRESIDENT :—"In that respect, I wish to know whether the hon. Member recognizes that this Council is co-operating with the South Indian Railway and the Madras and Southern Mahratta Railway by sending its representatives to their advisory committees, that this Council is co-operating with the Tata Research Institute at Bangalore by sending one of its members to the Board of that Institute, and that this Council is co-operating with the Government by electing Members to the Finance Committee which is not contemplated by the Rules and Standing Orders."

MR. ABDUL HAMID KHAN :—"By a special resolution of the House."

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* The hon. the PRESIDENT :—" Here also there is a resolution for co-operation with the Simon Commission and not with the Government."

* Mr. J. A. SALDANHA :—" Sir, the Finance Committee is constituted by the House in exercise of its financial powers. It is appointed by a resolution of the House. Then as regards Railways, things like the comforts of passengers are within the cognisance of the House. There is also the question of who is to pay the allowances for the members who are to be appointed to the Committee. The allowances of the members sent to the Railway Advisory Committees are paid by the Railways themselves and not by the Government. I want to know who is to pay the allowances for the members of the Council Committee to co-operate with the Commission. I wanted to put a specific question on this point to the hon. the Finance Member. If the hon. the President will allow me, I shall put the question to him now."

* The hon. the PRESIDENT :—" This is not question time. I am, however, prepared to waive the required notice and have the question answered by the Government to-morrow."

* Mr. J. A. SALDANHA :—" Now, Sir, I shall say that the allowances of these members who are to be elected to the Committee to co-operate with the Simon Commission will have to be met out of the funds of this Government, and I leave it to the hon. the Finance Member to contradict me if it is not so. I see, Sir, that I am not contradicted and therefore I take it for granted that the funds will have to be provided for by this Government. Now, Sir, what are our powers, the powers of the toy parliament as we call it?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Is my hon. Friend in order in calling this a toy parliament?"

* Mr. J. A. SALDANHA :—" We had the honour of a visit from a Member of Parliament, and he stated that however well conducted our Legislative Councils might be, they were no more than toy parliaments. I have pointed out that we have not got any more powers than the tiny House of Commons of the middle ages."

The hon. the PRESIDENT :—" The hon. Member is requested to come to his point of order."

* Mr. J. A. SALDANHA :—" Sir, I submit that the burden of proof that this House has got powers to appoint a committee and invest it with certain powers and functions is on the hon. the Mover of the motion. None has spoken on this point on the other side of the House except the Advocate-General. There is no use of quoting the Standing Orders and the Rules which only fix the procedure in the House and do not give us any power. There should be some clear law showing the jurisdiction of the House in such matters. Is there anything, I ask, to show that the Council has powers to appoint a committee with equal status and powers with the Simon Commission, that they will have the same power of investigation and inquiry and examination of witnesses and access to all documents as the Simon Commission itself. . . ."

* The hon. the PRESIDENT :—" What is the point of order? I am not able to follow the hon. Member in his point of order."

* Mr. J. A. SALDANHA :—" I say, Sir, there is nothing in the law to show that we have got powers to appoint a committee like this and invest it with certain powers and functions. I challenge the hon. the Law Member or

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any other Member of the Government to show that under such and such a section this Committee is to be appointed. The only authority we have is based on the two letters of Sir John Simon. What power has Sir John Simon to ask this Council to appoint a committee?"

* The hon. the PRESIDENT :—"I am afraid the hon. Member is going into the merits of the question."

* Mr. J. A. SALDANHA :—"There is absolutely nothing to show that this House has got the power . . ."

12-15 p.m. * The hon. the PRESIDENT :—"I am afraid the hon. Member is repeating his own arguments."

* Mr. J. A. SALDANHA :—"Now we shall see whether there is anything in the rules or in the Act. We shall see what those functions are."

* The hon. the PRESIDENT :—"The hon. Member need not go into the question of functions; it does not comprise the point of order."

* Mr. J. A. SALDANHA :—"They are not covered by any rules at all. Then there is the schedule here; I have gone carefully through it in vain to find out whether we can exercise this power of appointing a certain committee to do certain functions and spend some amounts. There is nothing in the list to warrant that we can appoint a committee of this sort. The other day, one gentleman asked what about the Mettur Committee. What was only a deputation was called a committee."

* The hon. the PRESIDENT :—"I don't think the hon. Member is justified in taking the time of the House by advancing arguments that were addressed to him privately."

* Mr. J. A. SALDANHA :—"Every committee appointed is covered by certain rule or section of the Act. I say that this Committee is *ultra vires* and I hope the President will hold that we are acting *ultra vires* in appointing this Committee."

Mr. A. KALESWARA RAO :—"Mr. President, the most important question is whether there is a department referring to this motion and if there is no department then there can be no Member of the Government in charge of it, and as such no consent referred to in rule 24-A can be forthcoming. Here, Sir, the Statutory Commission has been appointed under section 84-A by a Royal Warrant. The Secretary of State alone has the power to suggest names to both Houses of Parliament."

* The hon. the PRESIDENT :—"I am afraid the hon. Member is going into the merits of the question. The hon. Member is requested to mention the point of order."

Mr. A. KALESWARA RAO :—"That the Simon Commission is a subject which is beyond the jurisdiction of the definition of 'subjects'."

* The hon. the PRESIDENT :—"That is a point which has already been urged by the Deputy Leader of the Congress party."

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Mr. K. R. KARANT :—" Sir, I shall take not more than a minute of your time. I will concede for the sake of argument that there is a third class of motions which are not resolutions, and which can be brought with the consent of the President and the Member of Government concerned. My point of order is that anyone else can bring it, but not the person who is to give the consent, not the Member of the Government, conceding that the Member is in charge of the subject."

* Mr. G. HARISARVOTTAMA RAO :—" Mr. President, I merely wanted to refer to certain points, but my Friend from South Kanara has preceded and anticipated me. I want to elucidate the points. I refer you, Sir, to the definitions in the rules. There is the definition of a Member; there is the definition of a Member of the Government. A 'member' means a member of the Council. A 'Member of the Government' is: 'a member of the Executive Council or a Minister, and includes any member to whom such member may delegate any function assigned to him under these rules. Now, there are two classes of members in this House; of these two classes' the first is certainly comprehensive of the other. But the second is a specialized membership. If there is a specialized membership in this House and if in virtue of that specialization there are special powers given to such a special member, then that special member in so far as he has to exercise such powers is precluded certainly from exercising the category of powers that appertain to the ordinary member. I therefore feel that the hon. the Revenue Member was entirely wrong in giving his consent or presuming to give his consent to this matter. He had absolutely no business to give consent to a matter which he wanted to move as a member of this House. It is a most improper use of his power under rule 24-A and I request you to hold that it is illegal. It is illegal for the reasons I have stated; it is only the bare-faced bureaucracy that is ruling this country in the name of liberalism, that can have the temerity to come forward and say through its Member of Government that he can give consent to a motion in which he and his Government are intimately interested. It is a misuse of the power that is given under Rule 24-A. I therefore have no hesitation in hoping that you will hold that the Member had no jurisdiction in this case to give his consent. If he chose, he could have said: 'I am the Member in charge; I cannot give consent; I shall move an ordinary resolution and take the risks of a ballot, risks of notice and risks of discussion later on.' He has no business to take shelter under the definition of a motion under 24-A and he has no business to come forward and say 'Here I am moving this particular resolution for the benefit of my Government.' It is a gross misuse of the power. I am sure, you, Mr. President, will protect the interests of this House, the privileges of this House. The privileges that we enjoy are certainly few, and these privileges should not be allowed to be cut off in this manner by a person using his specialised position in this House, who is not here either as an elected member or a nominated member but who is here ex-officio, in his capacity as Member of the Government. That he should have come forward with this particular motion is merely audacious.

"I want to elucidate another point in reference to Rule 24-A itself. There has been a great deal said about the three subjects, and I desire to point out to you, Sir, as President, that Rule 24-A does not take away your right to decide the subjects which have to be discussed under this rule; because,

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whether you call it a motion coming under a special category, as you were pleased to put it yesterday, or whether you call it a resolution, it is clear that you have powers to rule it out of order, if it offends the rules and standing orders under which subjects should be brought forward in a resolution. 'Subjects in regard to which a resolution cannot be moved' are the words. There is no distinction made in the name of either a 'motion' or a 'resolution' so far as subjects are concerned. It has been attempted to make it appear that the word 'subjects' refers only to the three subjects mentioned in Rule 23 (1)."

* The hon. the PRESIDENT :—"That is a point which the Deputy Leader has already drawn our attention to. I don't like that the time of the House should be occupied by repeating arguments already advanced."

* Mr. G. HARISARVOTTAMA RAO :—"I am merely elucidating the Standing Orders. The Standing Orders are binding upon this House and the Standing Orders have to be enforced by you as President as long as they are not repugnant to the rules. There is a provision that a subject can be permitted to be discussed under this rule only when it comes within the subjects that can be moved as resolutions. Now I ask whether the standing order with regard to the limit of time of one year does or does not apply to this particular question. It does. Because the Governor is given power to rule what is an allowable subject under sub-rule (1) of Rule 23, that does not take away your power to rule that any subject is not a subject that can be discussed as a resolution. There is nothing in the standing orders that conflicts with the intention of this rule. You have the right to enforce this standing order and rule that this particular motion is out of order. On these two grounds I urge that this motion is entirely out of order and I request you to rule it as such."

* Mr. M. A. MANICKAVELU NAYAKAR :—"Mr. President, I am rather inclined to respond to the kind invitation of the hon. Member for South Kanara. Yesterday, in raising the point of order, the hon. Member for the University pointed out many objections. He referred to the latter portion of Rule 24-A namely 'except with the consent of the President and of the Member of the Government to whose department the motion relates', and said that in this case there is no such consent. The 'consent' theory applies only when the motion is brought forward by a private member of the House. When a motion is brought forward by a Member of the Government, the very fact of the moving of the motion will amount to consent *ipso facto*."

"Then the hon. Member referred to Standing Order No. 54 and said that it refers only to resolutions and not to motions. Now, resolutions stand apart from motions and then even in motions there are motions like adjournment motions, censure motions and motions of a peculiar sort like the one which we are having now. Standing Order No. 54, says '(a) it shall be clearly and precisely expressed and shall raise a definite issue; and (b) it shall not contain arguments, inferences, ironical expressions or defamatory statements, nor shall it refer to the conduct or character of persons except in their official or public capacity.' Because this standing order refers only to resolutions and not to motions, have we in our practical experience, in moving adjournment motions and censure motions, couched them in language which is defamatory or ironical or in any way affecting the conduct or character of persons? We have not done so."

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"Therefore what is the provision under which such abuse is prevented? Standing Order No. 79 provides for such contingencies. It says: 12-30 p.m.

"The President shall have power to regulate the conduct of business in the Council in all matters not provided for in the Act, the rules or the Standing Orders."

"Here in this case though Standing Orders Nos. 54 and 55 refer to resolutions and there is no mention about motions, Standing Order No. 79 comes to the rescue and helps in framing the language and subject matter of adjournment motions and special motions of the sort we are now considering. Therefore the argument that Standing Orders Nos. 54 and 55 refer to resolutions and that there is no special provision for motions of this sort is absolutely unfounded.

"Sir, coming now to the boycott resolution of January last, I may say that it was passed by many Members of the House with mental reservations. Sir, you may be aware that the hon. Mr. Krishnan Nayar then moved an amendment in which he clearly stated under what circumstances the House might probably co-operate with the Commission. As many as 20 hon. Members voted for that motion and 30 or 35 remained neutral. That clearly shows that Members of the House then had different views on the boycott resolution. It is only for the sake of convenience that all sections of the House agreed to the bare skeleton of a resolution that was passed that day. Therefore, the resolution then carried is proof, if proof were needed, of the fact that different sections of the House interpreted it in different ways. Because one section of the House interprets it in one way, we cannot say that the matter cannot be reopened. As a matter of fact, after that resolution was passed many changes have taken place in the procedure of the Commission. It may be that in the opinion of a certain section of the House those changes do not mean much. Other sections of the House view it differently. Therefore you will be quite right in allowing the rediscussion of the question in view of what has happened."

* Rajkumar S. N. DORAI RAJA :—"Mr. President, it is too late in the day to question the competency of the Government to move this motion. All Provincial Governments are subordinate to the Secretary of State who derives power from the Parliament which is the highest authority in the British Empire. When Parliament appointed this Commission, as Lord Birkenhead has said"

* The hon. the PRESIDENT :—"Is the hon. Member raising any new point of order or is he only answering the point of order already raised?"

Rajkumar S. N. DORAI RAJA :—"Answering the point of order."

* The hon. the PRESIDENT :—"The hon. Member is trying to answer Mr. Saldanha's point of order?"

Rajkumar S. N. DORAI RAJA :—"Yes, Sir (Laughter). My hon. Friend Mr. Satyamurti said that it was not the business of the Government to bring this motion."

Mr. S. SATYAMURTI :—"I did not contemplate this discussion, Sir. I raised a point of order and it is now entirely in your hands."

Rajkumar S. N. DORAI RAJA :—"Apart from permutations and combinations and interpretations, the fact remains that my hon. Friends opposite know that they are fighting a losing battle."

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Mr. S. SATYAMURTI :—“ Sir, these remarks are hardly relevant to the point of order I have raised. We may yet win the battle in spite of Mr. Dorai Raja.”

* The hon. the PRESIDENT :—“ At this stage the hon. Member is requested to confine himself to the point of order.”

Rajkumar S. N. DORAI RAJA :—“ Sir, the Government is competent to bring in this motion.” (Cries of ‘ Oh ’ from the Opposition benches.)

* Rao Bahadur C. V. ANANTAKRISHNA AYYAR :—“ Mr. President, Sir, it seems to me that the present objection is practically the same as was brought in yesterday, and on which you, Sir, have given your ruling. When once it has been ruled that the present proceeding before the House is not a ‘ resolution ’ I fail to see how Standing Order No. 54 will stand in the way. It says :

‘ Subject to the restrictions contained in the rules and the Standing Orders, any member may move a “ resolution ” relating to a matter’

“ When once your ruling was given yesterday that the present proceeding is not a ‘ resolution,’ I am not able to see how that Standing Order has got any substantial bearing upon this preliminary objection.

“ The next point urged by the hon. Member was that the consent mentioned in rule-24 A should not be that of the Member who moves. My submission is that this objection is equally untenable. With reference to ‘ resolutions ’ which could ordinarily be brought forward only after giving 15 days’ notice, under the provisions of Standing Order No. 53 except with the consent of the Member in charge, I understand that the practice of this House under Standing Order No. 53 has always been that it is open to a Member of Government himself to bring forward a resolution on shorter notice though he happens to be the Member of Government who has to give his consent.”

Mr. C. V. VENKATARAMANA AYYANGAR :—“ Is there any instance of that ? ”

* The hon. the PRESIDENT :—“ Mettur.”

Mr. C. V. VENKATARAMANA AYYANGAR :—“ Sir, the Advocate-General is referring to resolutions.”

* The hon. the PRESIDENT :—“ I think that with regard to the Mettur Project, the hon. the Law Member in charge of Irrigation tabled a resolution for the acceptance of the House.”

Mr. C. V. VENKATARAMANA AYYANGAR :—“ Was it worded as a recommendation to Government ? ”

* The hon. the PRESIDENT :—“ It was not, I think, in the form of a recommendation to the Government. But there was a motion under the Cotton Transport Act. That Act requires that the rules framed should obtain the approval of the Council. It was put to the Council in this way on the former occasion : ‘ That this Council recommends to the Government that the following rules may be adopted.’ ”

Mr. C. V. VENKATARAMANA AYYANGAR :—“ It is so probably on the present occasion.”

* Rao Bahadur C. V. ANANTAKRISHNA AYYAR :—“ Some hon. Members may remember such occasions.”

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* The hon. the PRESIDENT :—" Even on a former occasion the wording was as follows : ' The Council approves and recommends to the Government that the rules may be adopted.' "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" If I remember correctly, there have been many resolutions of that kind under the Local Boards Act also."

* The hon. the PRESIDENT :—" The question is whether the wording is ' recommends to the Government ' or ' approves '. If it is only ' approves ' it is a mere motion."

Mr. C. V. VENKATARAMANA AYYANGAR :—" Then the question of ballot will come in."

* The hon. the PRESIDENT :—" For Government resolutions there is no need for ballot."

* Rao Bahadur C. V. ANANTAKRISHNA AYYAR :—" I am very much obliged to you, Sir ; if it were otherwise, it would be an idle formality when the Members of Government are unanimously agreed upon a particular point, that there should be one Member of Government in charge of a particular department to bring in a motion like this and formally get the consent of another member of Government. There is nothing in this which is wrong in principle when the power to grant consent is in one's (mover's) own hands. It is too much of technicality to say that he could give his consent only upon a formal application made by somebody else. So that, the argument that as the hon. the Revenue Member is the authority to grant permission, he is consequently disentitled from himself being the mover is, I submit, without any reason or foundation."

" Then much stress was laid upon the fact that Reforms (Simon Commission) could not be a ' subject ' and that there could not be a department of Government like that and that consequently the rule requiring the consent of the Member in charge of the department could not be satisfied in this case. As hon. Members are aware, there is the main distinction in the Government of India Act as well as in the Legislative Council Rules between central subjects, provincial subjects and transferred subjects. All subjects that are not provincial subjects are central subjects. A reference to paragraph 12 of the Functions Committee Report makes that absolutely clear. It is said there that every subject which is not a provincial subject is a central subject. That is what item 47 of the Devolution Rules, Part I, also means. It is open to the Governor-General in Council in connexion with those subjects which are not provincial subjects to ask that the work in regard to the administration of such central subjects be done through the medium of the Local Government (Mr. S. Satyamurti : Agency work), and have the administration of such central subjects thus carried on. In rule 46 it is provided that when arranging for such work the Governor will follow the same procedure in distributing the portfolio among the Members of his Council. I find from page 2 of Volume XLII of the Legislative Council Proceedings of 13th March 1928 that the subject of Reforms (No. 12) is in the portfolio of the hon. the Revenue Member. That being so, for the purpose with which we are now concerned, namely, the authority for the time being who supervises that particular subject, we have got the expression of opinion of the Governor in Council that the hon. the Revenue Member is the person who is to be in

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charge and is to supervise matters relating to it. That being so, the hon. the Revenue Member is the Member in charge of that department. There is nothing particularly magical in the word 'department.' Looking into the pocket Oxford Dictionary, I find that 'department' means 'any of the separately managed branches of a great organization, especially the affairs and officials supervised by a Minister of State.' So that in any reference to a subject supervision over which is delegated to any particular member, it is clear that that member should be taken to be in charge of that department. That being so, there is nothing wrong in that member himself making a motion and in giving his consent, as required by rule 24-A. It is thus apparent that none of the objections taken are tenable, while the main objection now taken has been disposed of by your ruling yesterday."

12-45
p.m.

The hon. the PRESIDENT :—"I shall give my ruling after lunch interval. The Council will now adjourn and re-assemble at 15 minutes after 2 p.m."

The House accordingly adjourned for lunch.

After lunch 2-15 p.m.

DURATION OF THE PRESENT SITTING OF THE COUNCIL—cont.

* The hon. Sir NORMAN MARJORIBANKS :—"Regarding the time that is required for Government business, I may say that as these two days, namely, Monday and Tuesday, have been already taken up by the House in discussing this motion, the Government will require either Friday or Saturday for finishing their business."

(One Member remarked that he could not hear anything as to what the hon. the Leader of the House said.)

* The hon. the PRESIDENT :—"The question is how long this sitting is likely to continue. Friday being a holiday, the House will have to sit on Saturday. If, however, hon. Members have no objection to continue the sitting on Friday, Government too will have no objection. But if they have any objection to continue the sitting on Friday, the Council will have to sit on Saturday. That is what the hon. the Leader of the House said."

MR. SAMI VENKATACHALAM CHETTI :—"So far as the notification went, the Members of the Legislative Council were informed that there would be two non-official days and two official days."

* The hon. the PRESIDENT :—"The practice is to give intimation to hon. Members only of the allotted number of non-official days. Government act on the presumption that the Council will continue to sit till all their business is finished."

MR. SAMI VENKATACHALAM CHETTI :—"I do not object to that, Sir. But what I submit is that we were intimated that only two days would be allotted for official business."

* The hon. the PRESIDENT :—"My Secretary says that he did not give any intimation to hon. Members about the number of official days."

MR. SAMI VENKATACHALAM CHETTI :—"So long it has been the custom for the House to adjourn soon after the allotted days for non-official business are over."

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* The hon. the PRESIDENT :—"If the Government do not finish their business before the days allotted for non-official business, they have got a right to ask me to continue the sittings."

Mr. SAMI VENKATACHALAM CHETTI :—"I suppose it is done on consultation with the other parties in the House."

* The hon. the PRESIDENT :—"It has never been the practice as far as my knowledge goes.

VI

HOUSE COMMITTEE.

* The hon. the PRESIDENT :—"Regarding the election of six members to the House Committee, I have to announce to the House that the following candidates have been duly nominated for election to the Committee :—

1. Diwan Bahadur P. C. Ethirajulu Nayudu.
2. Mr. T. Adinarayana Chettiyar.
3. Rao Sahib L. C. Guruswami.
4. Mr. P. Anjaneyulu.
5. „ C. S. Govindaraja Mudaliyar.
6. „ Ramanatha Goenka.

"As the number of candidates for election is equal to the number of vacancies to be filled, viz., six, I hereby declare the abovementioned Members to be duly elected under Regulation II (4) of the regulations for the holding of elections by means of the single transferable vote.

"Under Standing Order 80, I have nominated Mr. P. T. Rajan and Mr. Soundarapandya Nadar to be Members of the Committee."

ELECTION OF A COMMITTEE OF THE COUNCIL FOR CONFERRING WITH THE INDIAN STATUTORY COMMISSION—*cont.*

* The hon. the PRESIDENT :—"The question is whether the motion of the hon. the Leader of the House is in order or not.

"The first and principal argument advanced against the motion is that it is barred by Standing Order 65. That Standing Order says: 'When a resolution has been moved in the Council no resolution or amendment raising substantially the same question shall be moved again within one year.' On the 24th of January last, during the last session of the Council, a resolution was moved in the Council in the following terms :—

'That this Council recommends to the Government that they do convey to His Excellency the Viceroy and His Majesty's Government the resentment of this Council at the appointment of the Statutory Commission and that they do advise His Majesty to abolish the constituted Commission and order the institution of a representative Round Table Conference to be composed of delegates elected by the elected Members of all the Legislatures of India.'

It was passed in an amended form which is immaterial for the purposes of Standing Order 65. It is sufficient to say that it would prevent another resolution raising substantially the same question being moved till the 24th of January next, though a new session has opened.

"It has therefore to be decided (1) whether the present motion is a 'resolution' and (2) whether it raises substantially the same question as the resolution of January 1928. I do not propose to deal with the second point, as, on

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account of my decision on the first point, I consider its decision unnecessary. Therefore, I shall only deal with the question whether the present motion is a resolution.

"Now, a resolution is defined in the rules as meaning 'a motion for the purpose of discussing a matter of general public interest. Under rule 23 (1) of the rules, every resolution shall be in the form of a specific recommendation addressed to the Government. The chapter of the Standing Orders entitled 'Resolutions' in which Standing Order 65 occurs, refers and has always been understood to refer only to resolutions in this restricted sense, viz., to motions on matters of general public interest being specific recommendations addressed to the Government. And it was for this reason that provisos 2 and 3 of Standing Order 53 appearing in that chapter were removed from that chapter to the chapter entitled 'Financial business' as those provisos related to financial business. Standing Order 65 does not apply to motions other than such resolutions.

"In fact, at the time when the Standing Orders were made, it is doubtful whether a motion of this kind could have been made at all. It was by means of rules passed in the year 1926 that all doubt as to the power of this Council to entertain and discuss motions on matters of general public interest, which were not specific recommendations addressed to the Government, was removed. Neither the Government of India Act of 1861 nor the Government of India Act of 1892 recognized the power of the Council to entertain motions of any kind except those relating to legislation. It was under the Government of India Act of 1909 and the rules passed thereunder, otherwise known as the Minto-Morley Reforms, that the right to move resolutions on matters of general public interest was conferred upon the Legislative Council; but then those resolutions had to be moved in the form of specific recommendations to the Government and subject to all the restrictions which still continue to govern the moving of resolutions in the above restricted sense. I was in the Council in those days, and in those days even the resolutions on the financial statement of the Government had to be in the form of specific recommendations to the Government. When the present Reforms were introduced in 1919, the Council obtained powers for the first time to entertain motions other than resolutions, but these powers were clear only in so far as they extended to the making of a motion for the adjournment of the House on a definite matter of urgent public importance and of motions on the budget. It was still doubtful whether this Council had a right to entertain other kinds of motions such as a motion of no-confidence in the Ministers or a motion on a matter of general public interest not being a specific recommendation to the Government, or even a motion for an address to the Governor in a case in which a communication could be made to him under the Government of India Act or the rules made thereunder. In this connexion, the ruling of Mr. Swamikannu Pillai disallowing certain motions on the 4th March 1924 on the ground that they were not admissible under the Rules or Standing Orders will come to the mind of hon. Members. In 1926, the Government of India made the present rule which is embodied in rule 24-A. It was made simultaneously with the rule providing for motions of no-confidence in the Ministers, viz., rule 12-A. Now, this rule (rule 24-A under which this motion has been brought, recognizes the right to make motions for an address to the Governor in a case in which a communication could be made to him under the Government of India Act or the rules made thereunder and

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further it allows motions other than resolutions to be discussed on matters of general public interest provided that the previous consent of the President and of the Member of the Government concerned has been obtained, and provided that the subject is a subject in regard to which a resolution can be moved.

"Regarding motions for the discussion of matters of general public interest, a clear distinction must therefore be made between motions which are recommendations to Government and motions which are not. The former are 'Resolutions' and the latter are not.

"The motion before the House is not a resolution in this restricted sense. It is not a specific recommendation addressed to the Government and, so far as I can see, is incapable of being converted into a recommendation to the Government.

"It is contended that motions contemplated by rule 24-A are also 'Resolutions' but that they are resolutions not made in accordance with the rules. In this sense, every motion can be called a resolution, a distinction being made between (1) resolutions moved in accordance with the rules, by which I take it, specific recommendations to the Government are meant, and (2) resolutions moved not in accordance with the rules. But rule 24-A itself calls the motions made thereunder only 'motions,' and makes a distinction between 'motions' under it and 'resolutions' moved in accordance with the rules. It also contains an express provision enabling His Excellency the Governor to disallow under certain contingencies 'motions' made under that rule, a provision which would be unnecessary if such motions also were resolutions; for a provision for the disallowance of 'any resolution' already existed in rule 22 (1). I emphasize the words 'any resolution' in rule 22 (1).

"Standing Order 65 contains a restriction of an exceptional character on the right of discussion in a particular way of matters of general public interest. It applies whether a question raised by a previous resolution has been voted upon or not and even where a resolution has been only moved and withdrawn. Paragraph 2 of Standing Order 65 even debar the moving within the same session of a resolution when a previous resolution on the same matter has merely been disallowed. Such an exceptional Standing Order which has no counterpart in the procedure of the House of Commons on which the practice of this House is based, cannot be extended to cases to which its application is not warranted by its strict letter. Standing Order 65 only prevents the repetition within a year of what I may for the sake of effect call, petitions to the Government, and does not prevent the discussion within a session by the Council of motions which are not petitions to the Government.

"Standing Order 65 is a practical reproduction of a corresponding Standing Order which had existed in the pre-Reform days. That Standing Order ran as follows:—

'26. When a question has been discussed at a meeting of the Council or when a resolution has been disallowed under rule 7 or withdrawn under rule 19 no resolution or amendment raising substantially the same question shall be moved within one year.'

"There was no provision in the old Standing Orders corresponding to the present Standing Order 30. The motions that could be moved then were all of an advisory character and were merely resolutions and the only Standing Order against their repetition was the one quoted above. When, however, a

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class of motions on matters of general public interest other than recommendations to the Government was newly introduced, it became necessary to introduce a new Standing Order and that Standing Order is now Standing Order 30. It contains the normal rule against the repetition of motions, a rule obtaining in both Houses of Parliament and I believe in other Houses modelled upon the English Parliament. That Standing Order says :—

'A motion must not raise a question substantially identical with one on which the Council has given a decision in the same session.'

"It is that standing order that must therefore apply to the present motion.

"No sufficient reason whatever has been adduced why this standing order does not apply to the present case but only Standing Order 65. If all motions were resolutions, there is no reason why there should be one rule against repetition as regards motions and another as regards resolutions."

Mr. S. SATYAMURTI :—"On a point of order, Sir. It is now 2-30 p.m. May I now move my adjournment motion?"

The hon. the PRESIDENT :—"I rule that the hon. Member is in order and he can move his motion."

VII

ADJOURNMENT MOTION *IN RE* THE SOUTH INDIAN RAILWAY STRIKE.

* Mr. S. SATYAMURTI :—"Mr. President, Sir, I beg to move—

'That the business of the House be adjourned to consider a definite matter of urgent public importance, namely, the action taken by the Madras Government in connexion with the recent strike of the workers of the South Indian Railway Company, especially their indifference to arbitrate between the workers and the company.'

2-30
p.m.

"Sir, my charges against the Government which I want this House to discuss by means of this adjournment motion are roughly three in number. First, Sir, my charge is that the Government have remained inactive and indifferent throughout the period preceding the strike and during the negotiations which because of their failure terminated in the strike. Secondly, the Government have identified themselves with the South Indian Railway Company and have helped the company in terrorizing. . . ."

* The hon. the PRESIDENT :—"I don't think the hon. Member will be in order in referring to the second point."

Mr. S. SATYAMURTI :—"I am talking of the action taken by the Madras Government in connexion with the workers, especially their indifference to arbitrate."

The hon. the PRESIDENT :—"You will have to confine to that and you should not travel beyond that."

Mr. S. SATYAMURTI :—"I am pointing out that the Government action has been such that as a result of their indifference . . ."

* The hon. the PRESIDENT :—"You cannot refer to that."

Mr. S. SATYAMURTI :—"Am I not to give reasons why they should arbitrate?"

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XII**A BILL TO AMEND THE MADRAS CITY MUNICIPAL ACT.**

Dr. B. S. MALLAYYA :—" Mr. President, I beg leave to introduce a Bill to amend section 129 (1) of the Madras City Municipal Act."

Mr. C. S. GOVINDARAJA MUDALIYAR :—" I second it."

* The hon. the PRESIDENT (after a pause) :—" I take it the Government is not opposing. The question is that Dr. B. S. Mallayya be given leave to introduce a Bill to amend the Madras City Municipal Act."

The question was put and the motion carried.

XIII**A BILL TO AMEND THE MADRAS ABKARI ACT.**

Mr. J. A. SALDANHA :—" Sir, I move for leave to introduce a Bill to amend the Madras Abkari Act."

Mr. P. ANJANEYULU :—" I second it."

* The hon. the PRESIDENT :—" Does the hon. the Minister object ?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I do not object, Sir."

* The hon. the PRESIDENT :—" The question is that Mr. J. A. Saldanha be given leave to introduce a Bill to amend the Madras Abkari Act."

The question was put and the motion carried.

Mr. J. A. SALDANHA :—" I beg now to introduce the Bill."

XIV**BILL TO AMEND THE MADRAS HINDU RELIGIOUS ENDOWMENTS ACT, 1926.**

Dr. (Mrs.) S. MUTHULAKSHMI REDDI :—" Sir, I move for leave to introduce a Bill to amend the Madras Hindu Religious Endowments Act, 1926."

Rao Bahadur B. MUNISWAMI NAYUDU :—" I beg to second it."

* The hon. the PRESIDENT :—" Does the Government propose to object? (After a pause.) The question is that the hon. Member, Dr. Muthulakshmi Reddi be given leave to introduce a Bill to amend the Madras Hindu Religious Endowments Act, 1926."

The question was put and the motion carried.

* Dr. (Mrs.) S. MUTHULAKSHMI REDDI :—" I beg to introduce the Bill."

XV**MOTIONS ON MATTERS OF GENERAL PUBLIC INTEREST.****COMMITTEE TO ENQUIRE INTO THE GRIEVANCES OF RYOTS IN FOREST AREAS.**

* Mr. K. R. KARANT :—" Mr. President, Sir, I beg to move the resolution which stands in my name, viz.,

'That this Council recommends to the Government to appoint a committee of the Members of this Council to enquire and investigate into the alleged grievances and hardships of the ryots in the Forest areas of the

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province in regard to the administration of the Forest department and also into the alleged abuse of privileges by the ryots and suggest remedies to redress grievances and stop abuses and also to suggest any change that may be necessary in the forest policy of the Government.'

"Now, Sir, it was in 1882 that the Forest Act was passed, and since then I may say that the miseries of the agricultural classes have been increasing in almost every district where there are reserved forests, by leaps and bounds, and I am sorry to say that in all these years, though nearly fifty years have passed, nothing tangible has been done to find out what those grievances are or to devise remedies for them. In February 1923, Sir, it was my hon. Friend Mr. Muniswami Nayudu who moved a resolution to the effect that a committee of this House may be appointed to make an enquiry and to put off the reserve line by one mile from the limits of private property. That resolution was passed. But I am afraid no action has been taken at all on this matter. (At this stage the hon. the Deputy President took the Chair.)

"I propose, Madam, to place before this House, as far as I have been able to make out, the various grievances, at any rate, such of them as I know intimately in my own district, and I am sure that, excepting for details here and there, those grievances are universal in the whole Presidency. Now, in my district, Madam, with a rainfall of over 150 inches a year, there was a practice prior to 1880 of burning all overgrowth around for what is known as "kumri" cultivation. By those means, the overgrowth of forests was limited, and the forests in olden days did not appear to give so much trouble to the cultivators. But since the passing of the Act of 1882, this has been stopped altogether with the result that the forests in the West Coast—I am sure the hon. the Law Member who is in charge of the subject knows this very well—the forests have become very dense, and the conditions of life in the interior parts of my district and of Malabar are becoming almost intolerable. I shall state before this House some particular instances to show how the ryots are suffering by the policy of the department.

"Now, first, the chief grievance is that the boundaries of the reserves in my district, which consist of about 800 square miles, run too close to private property. I will only give some instances, not very many but a few, so that the hon. the Law Member may know that it is not simply as a theory that I am stating this but with reference to actual facts and figures. In a village called Kaukradi in Puttur taluk, which is full of forests, in survey No. 8, which I have seen, the reserve line is barely ten yards from private property. In survey No. 52 where I have examined the survey stones, one portion of the survey number is actually within the forest line, and the owner of this land has been paying assessment for the last twenty years without raising any crops on that land, and the whole field has been lying fallow. Then, in another village, Mundaje, in the same taluk, the reserve boundary is only 70 yards from an arca garden, and the whole of it is useless for cultivation. Then survey No. 10 is 30 yards from the boundary. Then there are other fields very near the boundary. I took some statistics which show that out of a total of 328 acres of wet land at the time of settlement in 1882, as many as 95 acres are now lying fallow in that village on account of the impossibility of raising any crops in those areas.

"Now, these conditions are not peculiar to those two villages, from which I have given figures, but to almost every village in which we have got the

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reserves. It is eminently desirable that, instead of the Government simply keeping silent when such serious grievances are brought to their notice, a committee should be appointed to take statistics in all those areas where there are reserve forests to see how far the raising of crops and the interests of agriculture are affected and how far conditions of life are being interfered with.

"Then, the next question which is equally important for agriculture is the question of cattle. In my district, at any rate, in all the interior taluks, the cows are not reared for their milk because milk is a thing which is unknown as an article of diet to most of those people—as they cannot afford to have it being too poor—but they are reared for the purpose of getting manure. Each man has got about ten or fifteen head of cattle, and, for these a large amount of leaf manure is required from the forest for cultivation. I am sure this condition is very much the same in other districts also. These cattle require very badly pasture grounds. The question of pasture grounds has, unfortunately, not at all been considered by the Agricultural department or the hon. the Minister, who is not now paying any attention to the debate in this House. In spite of the Agricultural department, which has been in existence since 1920, I may assure my hon. Friend the Minister over there that nothing has been done by him or his department in the matter of the grazing grounds. I can give some facts and figures on this point. In my district, in the coastal parts, lands which are badly needed for grazing are being assigned away to the depressed classes, and I hope my hon. Friends representing the depressed classes will bear me no grudge for saying this, the depressed classes take assignments, and, as was given in answer to some question put recently on the floor of this House, they are not utilizing them for want of funds on account of the worthlessness of the plots. That is the way in which the Government is helping agriculture. Since 1920, nothing has been done to separate the grazing lands and the cultivable areas from the reserves and to see that real facilities are given to agriculturists. Then we have the time-old system of permits. The fees have now been raised to almost double the rates of what they were two years ago. Then we have got the fee for impounding, and these fees have been raised four times.

12-30
p.m.

"Speaking of cattle the ravages of wild beasts in my district is simply heart-rending. The number destroyed is 3,590 in 1924, 3,418 in 1925 and 4,250 in 1926. Every year several thousands of rupees worth of cattle are lost. Can the Government congratulate itself on this horrible state of affairs? Then there are several restrictions on the movement of cattle from one block to another though there is no dividing line between the two and though both of them are in the same range. If a cow strays into another block than its own then come the penalties under the Forest Act. It seems to me, Madam, that most of these things are worked in the most inhuman and impractical way without taking into consideration the feelings and the needs of the ryots.

"Then again the Forest department carries on certain experiments very indiscriminately in regeneration. They have begun this regeneration in reserves which are badly needed for grazing ground for the village. In some instances the whole area has been enclosed and there is no grazing ground at all for the ryots. I have found such an instance in the village of Mundaje in the Pattur taluk. If the Forest department had some imagination,

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they could have carried on their experiments at some other place without disturbing the grazing grounds of the village. There is a great need for separating these cultivable areas. While on this question I should just like to refer a few passages in the evidence given by Mr. Tireman, the late Conservator of Forests, before the Royal Commission on Agriculture in India. Says he :—

‘ If I am correct in thinking that this impression does exist, I think the reason for it is the fact that in this Presidency particularly, and, I think, to a certain extent in the rest of India there are large tracts of land which are called forest reserves, but which are really nothing more or less than grazing reserves. They are called forests, merely because they have a few trees on them. When they were reserved, I think I am right in saying that there was no Agricultural department, or it was a small one. It was forty or fifty years ago; and in the absence of the Agricultural department, the Forest department was naturally the one which was considered most suitable to administer these big tracts. These grazing grounds were very largely in the public eye and their administration and management was considered as one of the most important duties of the Forest department. I think we managed these areas fairly efficiently, but the fact that we had to pay so much attention to them led to the neglect of what in my opinion is our legitimate duty, that is, the looking after and the administration of the big timber forests of which in this Presidency there are very considerable areas of very great potential value. . . .’

“ Based on this evidence the Royal Commission made certain recommendations. Before the hon. Minister goes to the Conference at Simla I think it would be better if he considers this question which intimately touches the needs of the Agricultural department and the people. I read from page 269 of the Report of the Commission :—

‘ Forty or fifty years ago, when there were forest departments, but no agricultural departments, and when the problems arising out of the pressure of population on the soil and the necessity for cattle improvement had not assumed the importance they now possess it was natural that the forest departments should be regarded as the only departments capable of turning to advantageous use large areas of State land which were lying neglected and which were not required for cultivation. The result was that the time has come when a systematic reclassification of this type of land is required. The ideal to be aimed at in all provinces is to distinguish between land which is suitable for the growth of good timber trees or for fuel plantations (including land, the preservation of which under forests is desirable on climatic or physical grounds) land which is suitable neither for timber fuel plantations, nor for ordinary cultivation, but may possess possibilities for development as fodder reserves and grazing grounds, and land which is suitable for ordinary cultivation.’

“ Nothing has been at all done in regard to this so far as my district is concerned and I am sure other hon. Members will be in a position to speak whether anything has been done in theirs. It may be said on behalf of the Government that they have excluded 3,000 square miles out of the total area of about 19,000 square miles for panchayat management. This was done about 1910 or 1912. Now this is not at all sufficient to meet the new requirements of the agricultural needs of the people. If the object is to make profit for the department and to conserve the forests for climatic and other purposes, even then, there is a good deal yet to be separated and I think the hon. Member in charge will do something in the matter and see that some more areas which are really unfit for forests from the forests point of view will be separated and not satisfy himself with the 3,000 square miles. This area is hardly sufficient.

“ Then, Madam, some concessions have been given in my district in the matter of supply of fuel and leaves for manure. I think they are also extended to other districts. Now, if a larger area of these forests are separated then many of these problems would be automatically solved. Most of the people in our district are not fully aware of these concessions. Only the other day I had a letter from the patel of a village stating that he was unaware of

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any concessions and asking me to supply him with copy of them. These notifications regarding the concessions are simply printed in the District Gazettes and *Fort St. George Gazette* and they are never made known to the people. Further, Madam, these people are not allowed to remove leaves from classified trees. And every possible tree is classified. I find in all 34 classes of trees have been taken as classified trees. If one goes round a forest, it would be difficult to come across a tree which is not classified. That only shows that the department is working without any relation to the needs of the people.

"Then, again, wherever the forest line comes, the people are not allowed to enjoy their kumki privileges. I shall explain what is meant by this. For certain private lands in my district a margin of 100 yards is allowed and the owners of the lands are allowed to take leaves, etc., from these lands. But now the owners are prevented from enjoying the kumki privileges wherever the forest line comes near the land. This is another question which the proposed committee should inquire into.

"There is also a great scarcity of labour in the interior parts of the district where there are these forests, which are becoming more and more dense. Malaria is increasing by leaps and bounds and I wish to place certain facts before the House regarding this. The people find that cultivation is not a paying proposition and conditions of life in almost all the villages adjoining the reserves are becoming almost intolerable. The census statistics of 1911 and 1921 go to show that the population in such areas are distinctly declining. The decrease in population is due to the best of my knowledge to the increase in the density of the forests and conditions favourable for the spread of malaria. I wish to draw the attention of the hon. the Law Member to the answer to my question No. 411 put at the meeting of the Council on the 19th March 1927 (page 509 of the report), which shows that the number of patients treated for malaria in the medical institutions of South Kanara district rose from 22,570 in 1922 to 59,183 in 1926. It is not a casual increase. The figures show that the increase has been steadily going on and serious attention should be bestowed on the matter.

"Then, there is the question of roads and pathways passing through these forests. People are not allowed to cut the undergrowth on either side of these nor do the department themselves do it. In certain roads carts cannot pass in the night on account of the fear of tigers. There are various other matters like the granting of licences for hunting, the question of the use of water going to waste in the forests but which could be fruitfully utilized by the ryots. And now, I ask, what is the result of all this policy of the Forest department. I would only ask whether the net profit made by the department warrants all the trouble undergone by the people. In spite of the fact that the department has been working since 1882, i.e., for over half a century, if you take the forest report of any year in any district or range it will be found that a considerable portion of the revenue is from the grazing fees. Is it the main object of the Forest department to make money out of grazing fees? In my own district the department has been working at a loss in spite of the existence of 800 square miles of area and splendid forests. The income for 1926-27 is Rs. 2,00,376 and expenditure Rs. 2,58,061. Loss Rs. 57,685.

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"To some extent, it cannot be denied that the people also have not been using the privileges given to them fairly. This is a matter worth investigation by a committee. Considering all things it is imperative that a committee of this House, or some committee commanding the confidence of this House and consisting of its members should be appointed to consider this question in all its aspects and see if the forest policy cannot be altered and overhauled entirely? In the last few months, some other Government in Northern India also have appointed a similar committee to consider their forest policy, though I do not now remember the name of the province. I have not exaggerated the grievances, I have mentioned. I have verified them personally and I hope that the Government would accept this resolution and that the hon. Members would give their support. The question is one of life and death for the people. Let the Government take note of it!"

* Mr. G. HARISARVOTTAMA RAO:—"Madam, Deputy President, I have 12-45 great pleasure in seconding the resolution of my friend from South Kanara. p.m. The Forest Act is a very bad Act; it is one of the Acts that have been grinding down the ryot. I belong to a district, as is so well known to the members of this House, that abounds in forests and Forest officers. The Forest Act is so exclusively repressive that its administration has been very badly done. I concede that some restriction is necessary if our forests have to be conserved. I have no hesitation in saying that a law has to exist on the subject. But the existing law is so entirely repressive that the administration of it has called for a great deal of comment on the floor of this House and elsewhere. I have myself been responsible for a number of questions and the present Law Member is aware how answers were given to me, when he was on this side of the House. The forest policy of the Government has been stated in the Appendix to the Forest Code of India. I shall give one or two extracts from that particular publication so that I may bring home to the hon. the Law Member what exactly has to be done in the matter: 'The sole object with which the State forests are administered is the public benefit. The constitution and preservation of forests involves greatly restriction of rights and regulations of user. These restrictions and regulations are justified only (I want this to be noted) when the advantage gained by the public is great.' Again, 'the needs of communities dwelling on the margins of forest tracts consist in small timber and fuel and fodder, grass for cattle and edible forest produce for their own consumption. Every facility should be afforded for the full and easy satisfaction of the needs of the ryot. It should be distinctly understood that considerations of forest income are to be subordinated to that satisfaction.' I challenge the department to say that they are following this policy in the administration of forests, at any rate in my district. These aims are observed more in the breach than in the fulfilment. Every possible obstacle is put in the way of the ryot. Only recently there was a case of such restraint in my district. Take the question of agricultural implements. The department has consistently followed a policy of restricting the right of the cultivator to get his agricultural implements freely. There are thirteen depots in Kurnool East. Of these thirteen to a question of mine the reply came that only five stocked anything at all worth the name as implements. Out of the five there was one depot which stocked only a few out of eleven varieties I had listed. I learnt later on that the District officer has issued a notification saying that the Forest

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department would not manufacture further agricultural implements except on a tender being sent by the cultivator and except to a very limited extent which they have just undertaken. With these restrictions, the ryot is simply helpless.

"My friend raised the question of classification. I concede that recently there has been some change in the Government policy in the matter of classification. Mr. Tireman had influenced the Government policy in the matter of classification, but his influence has also been minimized by the Forest department. Mr. Tireman and Mr. Whitehead made certain recommendations with regard to certain forests in my district. They said that three classes of forests should be established, the second class being reserved for handing over to the ryots at a later stage. But the department turned down the proposal and the Government accepted it. Now it is evident that the Forest department has got certain vested interests which affect the privileges of the subject. The Government cannot ignore the fact. That vested interest is used to the disadvantage of the cultivator. Therefore it is incumbent upon the Government to examine carefully from time to time how far the administration is helpful to the ryot.

"I will only mention another fact, that is, with reference to the boundary line, of the forest reserves. On the floor of the House the hon. the Home Member who was then in charge of forests, gave me information that in my district there were about 250 villages whose village-sites or cultivation area lay within half a mile of reserved forests. The Government accepted at one time in a Government Order that any boundary which was within one mile of the village-site should be removed further, but such removal has not taken place. I have enquired from time to time whether any removal of such boundaries has been done to any appreciable extent, from 1923 onwards. It has been proved on the floor of the House that it has not been carried out. Proposals made by Government officers themselves, high-placed officers and experts, are turned down by the department. The suggestions accepted by the Government itself are not carried in practice and the ryot is put to a thousand and one inconveniences. For instance, under the law, when a ryot is accused of an offence, his cart would be taken away, his bulls would be taken away and other things are taken away and they are not returned for a long time and the cultivator suffers. The low-paid official has power to harass the cultivator to a very large degree. Therefore, I appeal to the House to see that this committee is appointed. The committee is necessary and more than necessary and has been long overdue. I believe the hon. the Law Member will accept this motion and will help to ease the situation which is fraught with very great dangers to the ryots on account of the repressive Act that exists in operation."

Mr. DANIEL THOMAS :—"Madam, I have great pleasure in supporting the resolution brought forward by my friend from South Kanara. It appears to me that the administration of the Forest department is becoming a growing evil. I am acquainted directly with the conditions of forest administration in my own district of Tinnevely and I am sorry I have to state on the floor of the House that that administration is calculated to give the greatest trouble to the ryots and the people of the district. The southern portion of the district comprises a large area of desert sands. There is no forest, it is only full of thorny shrubs. How this region came to be included

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in the forest area I am not able to understand. It is more or less a misuse of the term. This region need not be reserved as forest but may be left to the administration of the Revenue department. As a matter of fact, the villagers adjoining this arid region graze their cattle there. Recently an order has been passed by the Conservator of Forests taking away the privileges of the ryots to graze their cattle there. I know of a village known as Nalmavadi in Tiruchendur taluk. That is bounded on three sides by wet fields and on one side there is the forest. From the other three sides cattle cannot get in, for, the moment they got in they will be driven by the ryots or caught and taken to the pound. But by the rules of the Forest department they cannot enter by the forest side. The villagers showed me the place and actually demonstrated how the cattle were imprisoned within the limits of the house buildings. The cattle are unable to stir out from the limits of the dwellings of the people of that village. Whereas on the one hand the Government are willing to encourage agriculture and provide facilities for it, on the other, by the administration of the Forest department, the cattle which is the very essence and life blood of the agriculturist, are being starved. The people complain that they cannot maintain their livestock under the present conditions and in the end they will have to give up their agricultural pursuits. That is the position. In the western parts of Tinnevely there are some hilly regions. The pasturage on the hills is three, four or five miles from the limits of the villages. The ryots have to take a grazing licence for taking their cattle up those hills. Formerly the cattle of these neighbouring villages were allowed to stay over night in those areas. Recently I understand, rules have been passed insisting that the ryot should take his cattle to the pasturage and bring them back to the plains the same evening. So that every day these cattle are made to march four to five miles in the morning and the same distance in the evening.

“ Under these circumstances, the ryots complain that it is impossible for 1 p.m. them to take their cattle to the pasturage and find adequate pasture. It appears to me that it is the duty incumbent upon this House to form a committee to investigate into the conditions under which the Forest department are carrying on their administration, to find out the grievances of the ryots in connexion with the forest administration and to try to find out the means by which any possible damage to the forest areas may be avoided. As Mr. Karant rightly pointed out there are no doubt cases in which the rights conferred upon the ryots are abused, but that is no reason why the whole community of ryots should be made to forego the rights for pasturage. That appears to me a wrong method of procedure.

“ As regards the administration of the Forest Act again, there is room for complaint. Recently when I was sitting in a magistrate's court in connexion with my professional business I found two young girls of about eight years brought to the court charged with the offence of stealing forest produce. These girls had while playing near the limits of the forest reserve strayed into the reserve and picked up some பனமட்டை and it is for this that they were charged. They had not even the whole of a panamaitai, but had only portions of the stalks. The Forest officer who enquired into the case fined each of these two little girls Rs. 4. The department estimated the worth of the articles removed at As. 2 although I believe the actual worth would not be more than one anna and yet, for removing 2 annas worth of articles these two little ragged and starving girls were put before the court as they did

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not pay the compensation amount of Rs. 4 per head. I understand that the Magisterial department of the Government is also co-operating with the Forest department in these matters. I learn that a circular has been issued by District Magistrates to all subordinate magistrates that the amount of fine to be inflicted in these cases should not be less than the amount of compensation which the forest officer orders. So that, Sir, the elementary right of courts to judge the penalties according to the circumstances of the cases is taken away by means of circulars of this kind and, even if a magistrate finds that he cannot impose a fine of Rs. 4 he has to impose that fine as his hands are tied. I believe these facts are such as to call for urgent and immediate remedial measures. I therefore heartily commend the proposition of my hon. Friend for the support of this House."

Mr. V. L. MUNISWAMI PILLAI :—" Sir, I heartily support the resolution of my hon. Friend Mr. Karant. The condition of the ryots has been described by my previous speakers. But coming as I do from the Nilgiris where I have had opportunities of seeing at first hand the difficulties of the ryots, especially the depressed classes who live on the borders of reserved forests, I wish to say a few words. I believe the time has come when a committee should be appointed to go into the question of affording facilities for the ryots. Madam, to start with, I may say that there are forest panchayats in various districts, but even that is denied to the Nilgiris. I do not know the reason why the Nilgiris is excluded from the advantage of having a forest panchayat. In the Nilgiris the Arundhateoyas were enjoying the privilege of getting firewood and building materials free and that is almost denied to them now. The ryots have to wait on the forest rangers for hours together to get permits. Though the value of the permit is only one or two annas the ryots have to wait at the ranger's office for hours together and in consequence lose a day's wages.

"Coming to the plains, I understand, Madam, that the people in the North Arcot district do not get free grazing in the non-rainy season and their cattle have to starve. This is a great hardship.

"Another important thing I wish to mention in this connexion is that many of our depressed classes members who applied for lands to the Revenue department have been told by that department that no lands are available. There are instances in the North Arcot district where our people in large groups applied to the District Collector to disafforest certain forest areas and were told by the Revenue officials that unless all the lands available are exhausted they could not see their way to disafforest lands. From this, Madam, you will see what amount of inconvenience is caused to the poor ryots.

"The next point I wish to mention is that the Forest department does not allow fuel to be carried in headloads. If this is not allowed the fuel in inaccessible places would get spoiled and it will be of no value to anybody. I think the time has come when the Government should see its way to grant free access to our people to the forests to enable them to bring headloads of fuel and sell it for making a living. There are many more instances of hardship caused to our people by the forest administration; but I do not want to take up the time of the House by enumerating them in detail. I hope the hon. the Law Member will accept the resolution and give facilities especially to the depressed class ryots who are in great difficulty in these matters."

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Mr. R. NAGAN GOWDA :—"Madam, I wish to say just a few words on one or two points which have not been touched by the hon. Mover. One of the grievances of the ryots against the administration of the Forest department is that the forests in certain areas have been denuded of trees. This denudation robs those areas of sufficient rainfall. An instance in point is the Ceded districts. I wish to urge upon this House the necessity for appointing a committee to enquire into the methods that can be adopted to reforest these areas.

"Another point I wish to mention is about the trouble between the ryots and the watchmen. In the forest areas the watchmen of the Forest department come across innocent and ignorant ryots and in any trouble between them the former has the advantage. This point also ought to be taken into consideration by the committee. One of the best ways of bringing about amicable relations between the ryots and the Forest department is to hand over these forests to forest panchayats. In those parts of the country where there are forest panchayats these difficulties do not exist.

"Another thing to be remembered by the committee is the trouble given to the ryots by the wild animals. Mr. G. Harisavottama Rao was speaking about the distance between the villages and the forests. In areas where the villages adjoin the forests the villagers should be given more gun licence. And they should be allowed to go into the forests to chase the animals. With these observations I heartily support the resolution."

* Diwan Bahadur P. KESAVA PILLAI :—"Madam, I should like to say a few words on this question. We have heard about a circular issued by District Magistrates to the subordinate magistracy to the effect that they should not levy fines less than the compound fees fixed by the Forest department. I thought that such things have disappeared after the enquiry and report by the Forest Committee. I am afraid I have been living in a fool's paradise. (Mr. C. V. Venkataramana Ayyangar :—'Hear, hear'.) I know that in my district after the abolition of the reserve forests and the constitution of forest panchayats, things are managed on the whole very satisfactorily. The Chief Conservator is a very sympathetic officer and he has been trying to encourage the formation of forest panchayats. But in other districts I see that the ryots are put to considerable difficulties and dragged to court, fined and in default imprisoned. I think the hon. Member in charge knows better than any of us these difficulties of the people in some of the outlying areas where the rules are rigorously enforced. We have been trying to popularize and make people take interest in the forests adjoining their villages. I think the committee ought to be appointed and enquiry made. Madam, for some time no public opinion has been directed against this question. The privileges given are being literally taken away and the Forest department is encroaching on the rights of the people. All sandy wastes are being brought into the forest area so that fees may be collected from the people, treating them as grazing grounds. The evidence taken by the Forest Committee in Madura and other districts reveals the old state of affairs. On several occasions I had brought these things to the notice of the Government and on every occasion I bombarded the Government, they had to admit several things and finally they appointed the Forest Committee and then promised to carry out the committee's recommendations. How far they have carried out their promise we have yet to see. I have always

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p.m.

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found that the officers of the Forest department are hard-hearted when they are face to face with the people. The hon. Mr. Horne, the Chairman of the Forest Committee, was a very hard-hearted man but he was one of the best champions after the committee's enquiry was completed, of the Forest Panchayat system. I have no fear even if a Revenue official is put on the proposed committee. But what is most essential is now to appoint a committee of officials and non-officials to investigate as to how the recommendations of the Forest Committee should be carried out and how far the privileges given to the people originally have been taken away. Of course, the hon. the Law Member, the Member in charge, will see that no circulars are sent to the Magistrates by the District Magistrates according to the old state of things. I hope that the Government will make a statement that they will appoint a committee."

* Mr. J. A. SALDANHA :—"I shall be very brief in my remarks. I affirm everything that has been said about the policy, the repressive policy and the destructive policy of the forest administration. I admit that the Forest department has done a lot in conserving these forests and also in regeneration. But I am sorry to remark that in this conservation and regeneration the Government want to ignore the effect of exuberant growth of useless shrubs which tend to increase the malaria and also the increase of wild animals. That fact is very much to be observed. These forests while attracting moisture also absorb it and the district officer had to admit it. The tanks and wells in villages which used to be with plenty of water are now completely dry. These forests have not increased the rain but they have absorbed the moisture and tended to make the fields and other places in the villages dry. I would mention that in a village—of course the hon. Mr. Moir knows these villages—where the people spent some eighty thousand rupees for building a church they are now unable even to repair the church. Such is the condition of poverty in villages. Places where there used to be green orchards are now filled with wild animals. It is from these villages we used to get our ghee. At present we can hardly get even the required quantity of ghee for our requirements. There were tens of thousands of cattle in the village of Hospet and in two other villages in the neighbourhood. At present there are not more than three hundred head of cattle. We went from village to village and we found most of the cow-sheds empty because all the cattle had been carried away by wild animals. What is the remedy? I put questions in the Council and I had talk with the hon. the Home Member about the looseness and the extravagance of the department, pointing out that this Government has been a slave to certain formulas and antiquated ideas which render it impossible for the people in the villages to get on with their cultivation. Now it has been proposed that many of these useless forests should be handed over to the panchayats—under what department—under the Revenue Department, the Collector or the tahsildar who are not sympathetic to the people. These tahsildars are very regular in collecting the rent. But they are rarely so in regard to the villagers' happiness and contentment. So I would place panchayats under the administration of the Development Department. I am sorry the hon. the Minister for Development is not here. The Ministers and Members in charge of the Agricultural Department or the Revenue Department ought to be here. If the hon. the Revenue Member had been here, I would have warned him that

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there will be a time when people will refuse to pay their taxes because of the hardships caused by the forest policy of the Government. When I toured round these villages with a District Forest Officer the villagers came to us and spoke thus: 'If you do not remedy our grievances we are not going to pay the tax. What are these forests for? They are simply absorbing the moisture and nothing else; only destruction is going on here by wild animals and nothing else; so if you do not remedy our grievances we will not pay taxes; and we are prepared to face the contingency.' This threat was expressed in the presence of the District Forest Officer again and again. I am sure the hon. the Law Member who has visited almost all the forests will realize what would be the terrible consequence of continuing the present forest policy. These District Forest Officers generally have no heart for villagers. I am sorry also to observe that the Revenue Department is siding with the Forest Department. I hope the Agricultural Department would come to our rescue. I would not place the administration of useless forests with the village panchayats under the Revenue Department. If the administration is transferred to the Revenue Department it will be nothing short of a transfer from King Log to King Stork. So for the benefit of humanity this resolution should be carried and the forest policy of the Government reformed in human interests."

The hon. the DEPUTY PRESIDENT:—"There is some amendment to this motion. It is already lunch time. The amendment was just handed to me and I will read it. It is left to the House to allow it or not. The amendment runs thus:—

"Between the words "province" and "in regard to" in line 4 of the resolution *insert* the words "including proprietary forests into which the Madras Forest Act is extended."

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"I had no notice of this amendment. Forests in the proprietary areas are on a different footing from those directly under the Government."

The hon. the DEPUTY PRESIDENT:—"The amendment is not in order." The Council then adjourned for lunch.

After lunch (2-30 p.m.)

XVI

ADJOURNMENT MOTION *RE* THE CARNATIC PAPER MILLS, LIMITED, RAJAHMUNDRY.

* Mr. K. V. R. SWAMI:—"Mr. President, Sir, I move for the adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance, namely,

'the question of recent negotiations and the interest that the Government have taken in the Carnatic Paper Mills, Limited, Rajahmundry.'

"Sir, this question has come before this House more than once. But unfortunately matters have not advanced a bit. At the time of the budget debate I brought forward this matter before this House and I levelled two or three charges against the Government for which the hon. Mr. Moir was very cross with me and challenged me to repeat those accusations outside this

[4th September 1928]

APPENDIX I.

[Vide clause (a) of question No. 89 asked by Mr. G. R. Premayya at the meeting of the Legislative Council held on the 4th September 1928, page 155 supra.]

Circular Dis. No. 707 of 1925.

Cases have come to the notice of the hon. the Judges recently where application has been made for exempting from age-bar certain Brahman clerks. The appointments in question appeared to be contrary to the principles laid down in G.O. No. 613, Public, dated 16th September 1921, regarding the appointment of Non-Brahmans to Government service. It has been pleaded on behalf of the men recommended for exemption that they have been employed as acting clerks for a number of years and that it would be hard upon them after several years' acting service to refuse confirmation on the ground that they are overaged. The High Court however considers that to accept this principle would amount to an evasion of the principles upon which the Government Order is based. It is therefore directed that even in making acting appointments due regard must be had to representation of the various communities and District Judges are informed that where the principles of G.O. No. 613, Public, have not been so complied with, exemption from age-bar will not be given merely because the individual on whose behalf exemption is sought has been acting in various vacancies for a considerable period.

HIGH COURT OF JUDICATURE, MADRAS,
20th March 1925.

K. KUPPUSWAMI,
for Registrar.

APPENDIX II.

[Vide answer to question No. 99 asked by Mr. K. R. Karant at the meeting of the Legislative Council held on the 4th September 1928, page 160 supra.]

G.O. Mis. No. 1340, Public, dated 22nd December 1927.

READ—the following paper :—

From the Inspector-General of Police, R.C. No. 245-E/27, dated the 10th December 1927.

Order—Mis. No. 1340, Public, dated 22nd December 1927.

The Government are pleased to exempt from the provisions of Article 1 of the Public Service Notification—M.R.Ry. K. Padmappa. This exemption covers only the post of Inspector of Police, third class, on Rs. 175 per mensem.

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2. The Government also sanction his temporary exemption for the period 1st May 1927 to 31st May 1927 when he held charge of the Mangalore circle.

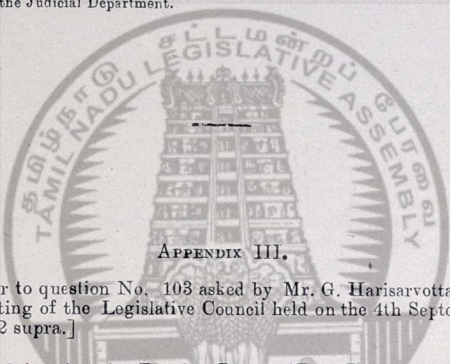
(By order of the Governor in Council)

A. Y. G. CAMPBELL,
Chief Secretary.

To the Inspector-General of Police.

„ Accountant-General.

Copy to the Judicial Department.



APPENDIX III.

[Vide answer to question No. 103 asked by Mr. G. Harisarvottama Rao at the meeting of the Legislative Council held on the 4th September 1928, page 162 supra.]

*Copy of Resolution from the Board of Revenue (Land Revenue and Settlement),
Mis. No. 2904, dated 7th October 1927.*

The Board has carefully examined the Collector's proposal but considers that, in view of the infinite variations in the conditions of spring channels and the many districts in which they are found, it is not possible to fix an exactly appropriate rate of fasaljasti without exhaustive enquiries in several districts. Any change in the rates would involve the upsetting of the settlement rates in many districts which is obviously undesirable during the currency of a settlement. It would, in the Board's opinion, also form a dangerous precedent.

2. The Board observes that the cost of cultivation under spring channels was allowed for by placing the sources in a lower class than would otherwise have been the case; the wet assessment is generally low and the fasaljasti correspondingly moderate. It is not likely that the fasaljasti will amount to half the net value of a crop though it may be higher relatively than the charge on lands under tanks. Further, if the cost of clearance per acre is as great as alleged, it is clear that the assessment is only a small addition to the cost of cultivation and there is no reason to believe that it is so high as to deter ryots from cultivating a second crop where water is available. In the circumstances the Board does not consider it desirable to take further action in the matter.

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APPENDIX IV.

[Vide item " V. Communication to the Council " on page 171, supra.]

GOVERNMENT OF MADRAS
PUBLIC DEPARTMENT

PRESS COMMUNIQUÉ.

Fort St. George, the 31st August 1928.

The Government have observed suggestions in the Press and have received representations to the effect that they might with advantage have intervened in the disputes between the South Indian Railway workmen and the company and might even now intervene to compose the differences that exist. There has also been some misunderstanding of the actions and attitude of the magistracy and the police during the strike. The Government therefore deem it advisable, now that the general strike is over and the situation has become more settled, to publish a brief statement of the facts of the strike and the attitude of the Government in relation thereto.

2. The cause of the dispute between the workshop workers and the Railway Administration was the reorganization of the shops necessitating a considerable reduction in the number of hands employed. As the Railway Administration was unable to undertake to find employment for all the men and as the men refused to agree to the methods of selection proposed by the management, matters came to a deadlock and with effect from the 29th June the workshops at Golden Rock, Negapatam, Podanur and Trichinopoly were closed (with the exception of a part of the shops at Golden Rock) by the Administration. The deadlock continued till, on 18th July 1928, the President of the Central Committee of the Labour Union, Trichinopoly, suggested to the Agent arbitration by the Labour Commissioner on the four points—

- (1) Payment of lock-out wages.
- (2) Absorption of surplus men after voluntary resignation.
- (3) Increase of menials' wages.
- (4) Redressing of running men's grievances.

The Agent replied accepting the principle of arbitration in regard to the matter of menials' wages and the running staff's grievances provided that the general strike were called off. He pointed out that there could be no change in the policy of reduction settled with the approval of the Government of India. The reply to this was that, as arbitration had not been accepted on all four points, the

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President could not place the matter before his committee, and in the result a general strike was declared on the railway with effect from the night of the 19th—20th July in sympathy with the workshop hands.

3. The police measures taken before the strike occurred were directed mainly towards safeguarding railway premises at the chief stations, and to holding men in reserve to meet possible developments. The main centres where trouble was most likely were thought to be Trichinopoly and Negapatam and forces of reserve police were stationed at these places. In addition, the railway police were strongly reinforced in order to protect the more important places, such as the watering and engine-changing stations. It was not anticipated that serious acts of violence would occur as they did all over the metre gauge system. When it became apparent that acts of violence might be anticipated at any point, police guards were provided on such trains as continued to run and on the pilot engines. In addition to these measures, police patrols were established along the line and the headmen of the villages traversed by the railway were directed to patrol the line within their village limits. These measures were effective as acts of violence practically ceased after the first four days of the strike, although a few sporadic attempts to damage the line occurred: so recently as 10th August, an attempt at derailment was frustrated and a man was arrested and charged for tampering with the permanent way near Pattaivayathalai station. The train service which had since the beginning of the strike been restricted to six trains running by day light was gradually increased from the 25th onward and night running was re-established from the 27th July.

4. From the outset of the strike numerous acts of sabotage and mob violence took place. The local magistracy found it necessary in several places to have recourse to the power vested in them by the law, to forbid by means of orders under section 141, Criminal Procedure Code, public meetings thought likely to lead to breaches of the peace. Such orders were passed in Madras City, Chingleput, Salem, certain parts of the Trichinopoly district, Negapatam, Mayavaram, Panruti, Villupuram, Cuddalore, Nellikuppam and Erode. In all cases, except Trichinopoly where they have been retained in force for the present, the orders were withdrawn by the magistracy as soon as the necessity for them appeared to have passed. A considerable number of prosecutions have already ended in the conviction of the accused for rioting and for offences under the Railways Act. Other cases are still under trial including charges against the leaders of the Labour Union and this being so the Government do not propose to refer to offences alleged in these cases.

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5. The magistracy and police thus took no action beyond that dictated by their responsibilities for the preservation of the public peace.

6. As regards possible intervention by the Government in the dispute, it will be seen that at the outset when the Agent was willing to accept arbitration on certain matters (affecting the menials and running staff) the union officials were not prepared to accept the offer. Later the Agent, on the ground that those who professed to represent the Labour Union were unable to influence the men, withdrew his recognition of the union. At the present time the position has further materially altered. The menials and running staff have gone back to work and the Government understand that the Agent has invited deputations to meet him to discuss any misunderstandings still existing. The Government trust that as the result of these negotiations an amicable settlement will be arrived at. As regards the workshop hands whose objection to the reductions in the shops led up to the strike, they have now all resigned and are drawing their bonuses and other dues under the terms of the Agent's original offer. Any workman is at liberty to offer himself for re-engagement on the terms advertised by the Agent. There is thus at present no question left on which to arbitrate in this matter.

7. The Government have thus been ready to offer their mediation wherever such mediation was practicable and acceptable to the parties concerned, but their chief duty has been and will continue to be to enforce the law against violence, and other illegal acts, to ensure as far as possible the safety of the travelling public, to prevent the disturbance of the public tranquillity and to bring to punishment those guilty of offences. They have no intention of condoning offences or of ordering a general withdrawal of cases from trial by the courts of law.

H. G. STOKES,
Acting Chief Secretary.